

SECRET.

711-10
Copy No. 9

REPORT
OF THE
COURT OF INQUIRY
RE
SHOOTING OF PRISONERS OF WAR
BY GERMAN ARMED FORCES
AT
CHATEAU D'AUDRIEU,
NORMANDY
8 JUNE, 1944

SECRET

SUPREME HEADQUARTERS
ALLIED EXPEDITIONARY FORCE

AG 000.5-2 GAP-ACM

SECRET

by Authority of SC, AEF

Initials *ELB*

Date *8 SEP 1944*

410-a

APO 757 (Fwd)
8 September 1944

SUBJECT: Report of Court of Inquiry at Chateau d'Audrieu, Normandy.

TO : European Advisory Council.

1. The attached "Report of Court of Inquiry re Shooting of Prisoners of War by German Armed Forces at Chateau d'Audrieu, Normandy", (Copies No. 8 and 9), is forwarded for your information.

2. The Findings of the Court are summarized on page 1 of Part Two.

3. It is requested that one copy of attached report be furnished the United Nations War Crimes Commission.

By command of General EISENHOWER:

E. C. BOEHKE,
Colonel, AGD,
Adjutant General.

2 Inclosures:

As listed above.
(Copies No's. 8 & 9)

SECRET

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PART ONE

7

SECRET

PROCEEDINGS

of a

COURT OF INQUIRY

held at

CHATEAU D'AUDRIEU, AUDRIEU, CALVADOS, FRANCE,

on

TUESDAY, 11th JULY, 1944,
WEDNESDAY, 12th JULY, 1944,
THURSDAY, 13th JULY, 1944,
FRIDAY, 14th JULY, 1944,
SATURDAY, 15th JULY, 1944,
SUNDAY, 16th JULY, 1944.

P R E S I D E N T:

Major-General R.W. BARKER,
U.S. Army.

Assistant Chief of Staff,
G-1 SHAEF.

M E M B E R S:

Brigadier G.W.B. TARLETON,
DSO, MC.

BGS Liaison Second Army.

Brigadier W.H.S. MACKLIN,

Commander 13 Canadian Infantry
Brigade.

Lieut-colonel W. BLACKHURST,
OBE.

ADJAG 21 Army Group.

Lieut-colonel J.W. MCCLAIN,
ED.

AAG (MS) First Canadian Army.

I N A T T E N D A N C E:

Major John P. PAGE,
ED.

Secretary to the Court.

First Lieutenant J.W. BISHOP,

JAGD, HQ, ETOUSA.

S H O R T H A N D W R I T E R S:

SQMS G.J. NORWOOD, RASC.

Headquarters (Rear) 21 Army Group.

S/Sjt. F.H. LOVETT, RASC.

Headquarters (Rear) 21 Army Group.

Cpl. De La DURANTE, CMSC.

Headquarters (Rear) First Canadian
Army.



West side of Chateau d'Audrieu



East side of Chateau d'Audrieu

5. The Court decided that, in complying with its Terms of Reference, it must determine:-

- (a) Whether a number of Canadian soldiers met their deaths at or near the Chateau d'Audrieu, near Pavie, Calvados, Normandy, on or about 9th June, 1944.
- (b) The numbers, ranks, names and units of any such soldiers.
- (c) The manner in which such soldiers met their deaths, and whether by
 - (i) Legitimate warlike acts of the enemy or
 - (ii) Enemy acts in violation of the laws and usages of war.
- (d) Whether any or all of such soldiers were, at the time of their deaths, prisoners of war and entitled to treatment as such.
- (e) The designation of any or all enemy units and/or formations in the neighbourhood of the Chateau d'Audrieu on or about 9th June, 1944.
- (f) The names of the persons directly or indirectly responsible for any such deaths attributable to acts in violation of the laws and usages of war, together with their units and/or formations.

6. The Court adjourned at 1830 hours.

10 July 1944.

7. The Court assembled at Rear Headquarters, First Canadian Army, at 0930 hours on 10th July, 1944, continued its study of the terms of reference and made preparations for the conduct of the investigation.

8. At 1400 hours the Court adjourned to the locus in quo, and made a detailed inspection of the Chateau and its surroundings, giving instructions for the preparation of a topographic survey of the Chateau and its grounds. The Court further gave detailed instructions to Lieut. Col. R.A.H. MacKEEN, R.C.A.M.C. (Pathologist) for the conduct of an autopsy on the bodies of 26 soldiers, reputed to be buried in the grounds.

9. The Court adjourned at 1830 hours.

- 7
- (a) B.211172 Serjeant J.R. FROST, No. 1 S.I.S., First Canadian Army, whose recorded evidence is attached hereto and marked Exhibit "25".
 - (b) U.1913 Serjeant R.S. SOUTHERST, No. 1 S.I.S., First Canadian Army, whose recorded evidence is attached hereto and marked Exhibit "26".

21. The Court adjourned at 1900 hours.

28 July 1944.

22. The Court re-assembled at Main H.Q. First Canadian Army at 1500 hours, 28th July, 1944, and continued with the examination of the witnesses. The following witness was examined on oath:-

Lt. FRANK DUBERVILL, Canadian Film and Photo Unit, whose recorded evidence is attached hereto and marked Exhibit "27".

23. The Court received sworn statements from the following, the exigencies of military service making it impractical for these witnesses to appear in person:-

- (a) Lt.Col. J.M. MELDRAM, Officer Commanding the Royal Winnipeg Rifles, whose statement is attached hereto and marked Exhibit "28".
- (b) Lt. R.S. MOGLOVE, Royal Winnipeg Rifles, whose statement is attached hereto and marked Exhibit "29".

24. The Court adjourned at 1700 hours.

7

PART TWO

Rank:-

L/Cpl.
Cpl.
Pte.
Pte.
Pte.

Name:-

MEAKIN, F.V.
MEAKIN, G.E.
MUTCH, R.
RODGERS, H.
SLYWCHUK, S.

(b) That the above were at the time of their deaths prisoners of war and entitled to treatment as such.

3. (a) That, of the above-named soldiers, the following were, in all probability, murdered by the German armed forces in violation of the laws and usages of war in a like manner to their comrades whose names are set out in paragraph 2(a):-

Rank:-

Rfn.
Pte.
Pte.
Rfn.
Rfn.
L/Cpl.

Name:-

CHARTRAND, L. (H41294)
HARRISON, F.D.
HAYTON, E.
LAWRENCE, K.S.
OSTIR, F.E.
POHO, W.
BARLOW, W.

(b) That the above were in all probability prisoners of war at the time of their deaths and entitled to treatment as such.

4. That the unit occupying the grounds of the Chateau d'Audrieu on the 8th June, 1944 — the date on which nineteen and probably all of the deceased met their deaths — was the Headquarters and Headquarters Company of the 12th S.S. Reconnaissance Battalion of the 12th S.S. Panzer Division (Hitler Jugend).
5. (a) That the senior officer present with the Headquarters and Headquarter Company of said unit on 8 June 1944 (probably the commanding officer, Major Bre(h)mer) is responsible for the murder of the officer and soldiers referred to in paragraph 2(a) above.
- (b) That there are grounds to suspect that another German officer (probably Lt. Schenk, the officer commanding the Signal Platoon of the said Battalion) who was present with the Unit on 8 June 1944 was cognizant of and implicated in the said murder.
- (c) That there are grounds to suspect that a third German officer (probably a member of a Panzer Regiment of the 12th S.S. Panzer Division attached for duty with the said unit) who was present with the unit on the 8th June 1944 and whose name is at present unknown to the Court, was cognizant of and implicated in the said murder.
6. That the German non-commissioned officers and soldiers forming the escort referred to in the hereinafter mentioned Incident I, and whose names are at present unknown to the Court, are equally implicated with their officers in the murder of:-
- Major F.E. HODGE.
L/Cpl. FULLER, A.R.
Rfn. SMITH, F.
7. That the German soldiers forming the escort referred to in the hereinafter mentioned Incident II, and whose names are at present unknown to the Court, are equally implicated with their officers in the murder of:-
- Rfn. GOLD, D.S.
Rfn. McINTOSH, J.D.
Rfn. THOMAS, W.
8. That the German non-commissioned officers and men, whose names are at present unknown to the Court, who formed the firing party which put to death the thirteen Canadian soldiers referred to in the hereinafter mentioned Incident III, are equally implicated with their officers in the murder of:-



Northeast corner of Chateau d'Audrieu, showing gardener's cottage and "drying room".



View showing relative position of points "A", "B" and "C" on map. Arrow indicates actual location of point "A".

shots was heard by this and other witnesses. The sound came from the direction in which the party had gone. Almost immediately afterwards the same escort of three came out of the wood, but without their prisoners, and returned to the Command Post.

13. Not long after this, a soldier of the German detachment, while the Chateau kitchen told witnesses that he was smoking an English "Tommy cigarette" and that they had killed them, meaning "Tommies".

14. On the 22nd June, 1944, three bodies were found by a burial party under the command of R.S.M. Hopps. They were lying in the undergrowth at the edge of the path at the Points marked "A", "B" and "C" respectively. They were without arms or equipment, and their pockets were empty.

15. These proved to be the bodies of:-

Major F.E. HODGE.
L/Cpl. FULLER, A.R.
Rfn. SMITH, F.

16. Later, empty small arms cartridge cases of German manufacture were found on the verge of the path close to where the bodies were lying.

17. The bodies were subjected to pathological examination, and they bore the following wounds:-

Major HODGE, F.E. Wounds of shoulder; head entirely absent.

L/Cpl. FULLER, A.R. Wounds of chest, neck and jaw, consistent with small-calibre bullets at close range.

Rfn. SMITH, F. Fatal wounds of axilla ("armpit") chest and head.

18. No fighting took place at the Chateau or in its immediate vicinity on 8th June, until shelling started at about 1830 hours.

B. REASONS FOR FINDINGS.

19. In arriving at its findings that the three soldiers were murdered, the Court based its judgment on the facts that:-

(a) The party of three British soldiers referred to by the witnesses were taken into the woods by an armed escort, equal in number to themselves (the usual practice being for one armed soldier to be appointed guard to a number of prisoners);



View of the graves in which 6 men were buried.



View of Point "C" on map (Ex. 3), showing position of body, feet nearest camera. Stake in foreground marks position of 2 German cartridge cases.

INCIDENT II.

A. FACTS.

21. Shortly after the occurrence related in Incident I above, a second party of about four British soldiers, void of headgear, arms or equipment, was observed by the witnesses Mlles. Monique Level and Beatrice Delafon, to emerge from the woods, east of the Command Post, and cross the open grass space, making towards the wood on the north side. This party was escorted by two or three German soldiers. The party and escort marched across the grass beyond the pole, in the direction of the Points marked "D", "E" and "F" on the Plan (Exhibit 3). They were lost to view by the witnesses on account of some large intervening trees. (The witnesses pointed out to the Court on the ground the line which this party took and the direction was clearly towards the Points marked "D", "E" and "F"). This incident was observed by the witness Monique Level from the window of her bedroom on the first floor of the Chateau, and by the witness Beatrice Delafon from an attic window.

22. After the party had disappeared from sight, the witness Level left her room and saw and heard no more; but the witness Delafon, bearing in mind what she had previously seen, and what she had heard from her cousin Level about the shots following Incident I, paid particular attention, and heard shots. She says there were as many shots as there were British soldiers.

23. On the 22nd June, 1944, three bodies were discovered by the burial party commanded by R.S.M. Hopps at the Points marked "D", "E" and "F" respectively. They were without arms and equipment, and their pockets were empty. They were the bodies of:-

Rfn. Gold, D.S.
Rfn. McIntosh, J.D.
Rfn. Thomas, W.

24. Later, empty small arms cartridge cases of German manufacture were found on the verge of the path close to the points marked "E" and "F".

25. Their bodies were later subjected to pathological examination and bore wounds as follows:-

Rfn. Gold, D.S.	- Wounds in head, small calibre; wounds of chest and shoulder, fatal, consistent with small calibre bullets at close range.
Rfn. McIntosh, J.D.	- Severe wounds of skull consistent with small calibre bullets at close range.
Rfn. Thomas, W.	- Severe wounds of head, consistent with small calibre bullets at close range; wounds of shoulder and back.

26. Prior to and for some time following this incident no fighting took place nearby.

B. REASONS FOR FINDINGS.

27. Following a similar line of reasoning to that set out at the end of Incident I. above, it is apparent that these three Canadian soldiers were killed by small arms fire at very close range, and not in combat.

28. The Court was left in no doubt that this party of Canadian soldiers suffered the same fate as their comrades referred to in Incident I, and that they were murdered by their captors when prisoners of war and in violation of the laws and usages of war.



View of Point "D", showing position of body, feet nearest camera.



View of Points "E" and "F", showing position of bodies, feet nearest camera. Stake on extreme right indicates empty German cartridge cases.

Rfn.	Adams, W.G.	- Multiple small calibre bullet wounds, head, body, arms and legs.
Rfn.	Bishoff, E.	- Fracture, cervical vertebrae.
Rfn.	Chartrand, L.	- Skull wounds, fatal, small calibre; multiple small calibre bullet wounds, chest and arms.
Rfn.	Cresswell, S.J.	- Multiple small calibre bullet wounds of body; bullet recovered from upper arm.
Rfn.	Fagnon, A.A.	- Multiple small calibre bullet wounds of body and foot.
Pte.	Harper, R.J.	- Multiple small calibre bullet wounds of body; extensive damage to skull; 7 bullets recovered.
Pte.	Labrecque, H.A.	- Skull wound, small calibre bullet, fatal; bullet recovered from scapula.
Pte.	Lychowich, J.L.	- Multiple small calibre bullet wounds, chest, stomach, and legs.
L/Cpl.	Meakin, F.V.	- Fatal small calibre skull wounds.
Cpl.	Meakin, G.E.	- Fatal wound of skull, small calibre wounds in chest.
Pte.	Mutch, R.	- Skull wound, small calibre, fatal; bullet removed from chest wound.
Pte.	Rodgers, H.	- Skull wounds, small calibre bullets; multiple small calibre bullet body wounds.
Pte.	Slywchuk, S.	- Decapitated by small calibre fire.

B. REASONS FOR FINDINGS.

33. From the fact that these unarmed soldiers were seen alive and in the custody of armed German soldiers at Point "K" only a very short time before being found dead at the same spot; from the sound of shots, the position in which these bodies were found, the nature of their wounds, their lack of equipment and arms, the presence of photographs and prayer beads in the hands of some of them, and the absence of any warlike activity in the region of the Chateau before 1830 hours on the 8th June, the Court is irresistibly led to the conclusion that these thirteen men were murdered by the enemy whilst they were prisoners of war in their hands and entitled to be treated as such, and that their deaths were occasioned in violation of the well-recognised laws and usages of war. There was no evidence that they had done anything to forfeit their status as prisoners of war.

INCIDENT IV.

A. FACTS.

34. On the 28th June, 1944, Serjeant Minards was sent with a burial party to the grounds of the Chateau for the purpose of burying a number of British soldiers found dead there. His party picked up the bodies of five Canadian soldiers and two British soldiers, whose ranks and names are set out below:-



Mass grave of thirteen soldiers involved in Incident III, looking North, away from hedge.



Mass grave of thirteen soldiers involved in Incident III, looking West toward Hen House.

- 7
- (d) At or near the road junction some 600 metres east of the Chateau, co-ordinates 871-713 (CAEN Sheet, 1: 50,000 map) a considerable number of documents and effects of Canadian and British soldiers have been found. Among them were items pertaining to Major Hodge, Lance-Corporals Fuller and Meakin, Sapper Harrison, Privates F. Smith, Thomas and Gold and Louis Chartrand. One of these men, Harrison, is involved in Incident IV. It would appear that at this location prisoners were collected and there searched for identification.
- (e) Rfn. K.S. Lawrence, whose body was found amongst those involved in this Incident, was seen to be captured by German soldiers shortly after mid-day on 8th June, 1944.

B. REASONS FOR FINDINGS.

38. The inference thus may fairly be drawn that most and possibly all of the twenty-six deceased soldiers passed through this collecting point as prisoners of war on or about the 8th June and, with specific reference to those involved in this incident, probably underwent the same process of examination and extermination as those involved in the other incidents. This inference is strengthened by the circumstance set forth in paragraph 37(e) above.

39. Despite the foregoing, this incident lacks the same weight of evidence as the others, in that only one of these seven soldiers was seen alive as a prisoner of war in the hands of the enemy. While the Court is of the opinion that the evidence gives strong ground for belief that they probably met the same fate as those referred to in the other incidents, the said evidence is not sufficiently conclusive to find that they were, with certainty, murdered by the enemy.

FACTS SUPPORTING FINDINGS AS TO IDENTITY OF UNIT AND PERSONS RESPONSIBLE

40. The facts upon which the Court based its findings that the Unit occupying the Chateau d'Audrieu on the 8th June, 1944 was a Company (in all probability Headquarters and Headquarters Company) of the 12th S.S. Panzer Reconnaissance Battalion, are as follows:-

- (a) Witnesses testified that some of the German soldiers were wearing on their sleeves the words "Adolf Hitler"; a number of officers and N.C.O's of the Adolf Hitler S.S. Division (the only Division which wears this emblem on the sleeve) are known to have been attached to the 12th S.S. Panzer Division (Hitler Jugend) of which 12th S.S. Reconnaissance Battalion forms part.
- (b) Signal message forms belonging to the signal platoon, Headquarter Company, 12th S.S. Reconnaissance Battalion, were found adjacent to burnt-out light armoured vehicles in the Chateau grounds, which are stated by the civilian witnesses to be the same vehicles as those left behind by the Unit which occupied the Chateau on the 8th June.
- (c) A bundle of letters addressed to, and a document written by, Untersturmfuhrer Schenk, who is known to be the Officer Commanding the Signal Platoon of the Headquarters Company, 12th S.S. Reconnaissance Battalion, were found adjacent to the said vehicles.



Mass grave of seven soldiers involved in Incident IV.



Mass grave of seven soldiers involved in Incident IV, looking West across open grassy space towards chateau.

PART THREE

ORDER CONVENING THE COURT

EXHIBIT No. 1.

SECRET

Copy No. ².....

Tac Hq.
1 Canadian Army
(Copy No. 1)

21 A.Gp/3746/23/A(PS)

7 Jul 44

Ref this HQ signal message A 49 dated 5 Jul and
letter of even number dated 6 Jul 44.

1. By order of the Commander-in-Chief, 21 Army Gp,
a Court of Inquiry will assemble at a time and place to
be determined by the President for the purpose of
enquiring into and reporting on certain matters which will
be laid before them.

2. The President will be:-

Major General R.W. Barker,
ACOS, G-1 SHAEF

The members will be:-

Brigadier G.W.B. Tarleton, DSO, MC,
BGS (Liaison) HQ Second Army

Brigadier W.H.S. Macklin,
Comd 13 Cdn Inf Bde

In attendance -
First Lieut
Joseph W. Bishop
JAGD

Lt.Col. W. Blackhurst, OBE,
ADJAG HQ 21 Army Gp

Lt.Col. J.W. McClain, ED,
AAG(MS) 1st Canadian Army

3. You will be responsible for warning the members to
attend, all administrative arrangements, including accommo-
dation of President and members, provision of interpreters
and transport (when necessary) also for attendance of all
necessary witnesses.

(Sgd) C. Lloyd
Brigadier,
DAG

'A' Branch
Rear HQ 21 Army Group,
No. 1 A.P.D.C.
LONDON, W.1.

Distribution

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EXHIBIT No. 4.

- Q By that you mean five yards further away ? A. Yes.
- Q And about the same distance from the path ? A. Yes.
- Q Was this body "B" likewise wounded in the back of the head ?
A Yes.
- Q Could you tell whether it was a small arms wound or an artillery fragment ? A. I formed the opinion that it was caused by an automatic arms of some description. I did not inspect it very closely.
- Q Will you give us parallel information with regard to body "C".
A The same applies with regard to body "C". The posture was the same; wound in the back of the head; same distance from the path. The distance from body "B" to body "C" was roughly ten yards.
- Q Was the condition of the head of body "C" any different from bodies "A" and "B", or did you fail to notice it ? A. There was one head which was badly knocked about, and the top of the skull was loose, but I would not like to swear which one it was.
- Q Did you see any other wounds on any one of these three ?
A No.
- Q Did you have time to look over the bodies very carefully ?
A No. We were in the middle of the battle and I had to get back to my regimental duties.
- Q With reference to the bodies which you have indicated as "D", "E" and "F", will you explain as to body "D" its location, position and the nature of its wounds ? A. When bringing the burial party for the first three to the woods I lost my way and went down a different path. I turned around and came up towards the Chateau and found body "D" on a path, on the left of the path, and I was facing the Chateau. This body was lying on its back; its right knee was drawn up, hands level with the face, and it had been shot in the face twice. On going over to the right I found another two bodies, which are marked "E" and "F", both lying on the face approximately a yard from the path, and each had been shot in the head. These three bodies, "D", "E" and "F", had no boots, no equipment and were dressed in battledress.
- Q Were they all in Canadian uniform ? A. They all had Canadian badges.
- Q You said they had no boots on. Did they have socks on ?
A Yes.
- Q Will you describe just how bodies "E" and "F" were placed in relation to the path ? A. Yes. They were lying with their feet approximately a yard from the path at right angles, both bodies, and they were both lying on their faces.
- Q Were their arms lying along their sides with the hands towards the feet ? A. No, with the hands round their heads like that; their hands were above the level of the shoulders.
(The witness indicates the arms as being somewhat raised with the hands about level with the face, elbows upward).
- Q As you looked at them did it appear to you from the position in which they were lying that they had fallen there immediately after having been shot or that they might have been dragged there ? A. They had fallen as they had been shot.

EXHIBIT No. 4.

Q Were there papers, cigarettes or other personal items scattered about near the bodies ? A. No.

Q As you walked about through the woods in the vicinity of any of these bodies did you see any British equipment or weapons ?
A No, none.

Q Or helmets ? A. No.

LT. COL. BLACKHURST: After you had seen the six bodies, did you suspect any kind of foul play ? A. From the state of the wounds in the back of the head I thought they had been shot in the back of the head: and the second three, "D", "E" and "F", having no boots or equipment on, I thought they had been shot while they were prisoners. "D" was shot in the face and he had no boots on.

Q Did you think there was something unusual about all the bodies to make you suspect they were something other than ordinary battle casualties ? A. Yes; the lack of equipment, lack of arms and steel helmets and, as I have said before, lack of boots in three cases. I would add that we found six German bodies in the woods two days previously and they were all armed; in one case he had a rifle with him. They were all fully dressed with their equipment and arms beside them.

THE PRESIDENT: Did you notice the organisation to which those Germans belonged ? A. No.

Q You could not say whether they were S.S. ? A. No, but the padre buried them and I think on two there were identification marks, but I cannot say that

LT. COL. BLACKHURST: Because of what you saw and because you suspected there was some foul play did you make a report to anybody ? A. Not officially. When I went back to the Regiment I informed the Adjutant I had found six Canadians, and I said that in my opinion I thought they had been killed by automatic fire.

BRIGADIER TARLETON: You would not like to say whose fire it was ?
A No.

THE PRESIDENT: Did you say anything to the adjutant to indicate that they had been killed under conditions contrary to the laws of war in regard to prisoners ? A. I may have made the remark that I did not think they had been killed fairly.

BRIGADIER TARLETON: You saw no officer's body amongst them ?
A No. I just know they were Canadians.

THE PRESIDENT: On the 7th July, 1944, did you accompany Captain Pollard of the S.I.S. to the place where you had found the bodies ? A. Yes.

Q What did you and Captain Pollard find there ? A. We searched round the vicinity of the "A", "B" and "C" bodies and I saw Captain Pollard pick up two cartridge cases of German make.

Q How far were these cartridge cases from the points where these bodies lay ? A. Roughly three to four yards.

Q Was there any evidence of other empty cartridge cases around ?
A Yes. In the cases of bodies "D", "E" and "F" two cartridge cases were found where "E" and "F" were shot, about a yard from these two bodies.

Q What make were they ? A. German make and with German markings.

EXHIBIT No. 5.

Q Will you explain that a little bit more ? There was a wound in the front of his head ? A. In the front of his forehead, which looked like a bullet wound.

Q There was a wound in front of his head and another one in the rear ? A. It appeared that a bullet had been fired and had gone through the centre of his head and had splayed out. It had gone through his forehead, just through the nose, and had splayed out and damaged the back of his head.

Q This is body "E" ? A. Yes, body "E".

Q And what about body "F" ? A. Body "F" was a matter of about a half a yard to the left of body "E".

Q As you faced them ? A. As we faced them, and his head was well under the bushes. He was further in from the path and his head was actually hidden by bushes when we found him. When we turned him over, he was in such a bad state and we tried to look for his identity but it was beyond our power. We could not see what wounds he had.

Q Were these men Canadians ? A. Yes; Royal Winnipeg Rifles.

Q They were both of the Royal Winnipeg Rifles ? A. Yes.

Q At about what time of the day did you start this work ?
A I should say approximately about 7 p.m.

Q What time did you finish it ? A. I should say between about half past 8 and 9.

Q In other words, it took you about two hours ? A. Yes, two hours.

Q Two hours to dig the three graves and bury the bodies ?
A Yes.

Q Was there any firing going on in the vicinity at the time ?
A We had one burst, I believe, of A.A. shells and splinters fell just round where we were digging the graves.

BRIGADIER MACKLIN: You said that these bodies "E" and "F" were lying on their faces ? A. Yes.

Q And they had their boots off ? A. Yes. One thing that did strike me was that they had no boots and no hats at all.

Lt. COL. McCLAIN: There was not much space between where they were on the path; they were side by side ? A. They were side by side, yes.

THE PRESIDENT: Did you form any opinion, based on your own observation, as to the circumstances under which these men met their deaths ? By that I mean: did it look to you as though these men were casualties or that they had met their deaths in some other way ? A. My opinion was that they were not battle casualties and that they had met their deaths in some other way owing to the fact that there were no pay books on them, no equipment and they had no headgear of any description. They had their boots off, whereas if they had been battle casualties we would have found their pay books and various other equipment with them. I concluded from this that they had been prisoners of war and that they had definitely been shot.

Q "I concluded that they had been shot by the Germans"; does that express it ? A. Yes.

EXHIBIT No. 5.

Q "While they were prisoners" ? A. Yes, while they were prisoners.

(The witness withdraws)

EXHIBIT No. 6.

BRIGADIER TARLETON: Did any of them have pay books ?

A No, no pay books.

THE PRESIDENT: Did you find pay books in any of their pockets ?

A No.

BRIGADIER TARLETON: Is there any other reason ? You have mentioned two now. A. Their falling down and their equipment are the only reasons I can see that they had been shot.

THE PRESIDENT: Did you feel that they had been prisoners of war at the time they were shot ? A. Well, yes, because the only report I got about them was that they were most likely prisoners of war. When we saw them there was nothing near or around them and in a place like this, with a battle on, nobody would wander far away without a small arm, even.

BRIGADIER MACKLIN: Did you discuss this when you went back to your unit ? Did you mention to anyone that you had been burying Canadians who might have been shot as prisoners ?

A As far as shot prisoners are concerned, no, sir. I was told when I was coming through that I had got to bury three Canadians.

Q It would be quite an unusual thing for a burial party to bury people whom you say were shot, and it might be an occasion for a certain amount of conversation and discussion. Was there any discussion or conversation at all ? A. No, there was not with any other of the men. Where they are, they are not all with me. I was the only one from my detachment -----

Q I know, but you did not mention it to the serjeant-major or anyone else and say: "Look here, I have been burying three Canadians; I thought they were killed" ? A. No.

Q You did not mention it ? A. No. At that time, when I got back there, I went straight to my gun and as far as I was concerned I did not want to talk about it.

Q It was a dirty job, it was finished and you did not want to talk about it; is that it ? A. Yes.

(The witness withdraws)

RECORD OF THE EVIDENCE

of

REV. A. INGLIS

REV. A. INGLIS is called and, having been duly sworn, is examined as follows :-

THE PRESIDENT : Are you the Rev. Angus Inglis, Chaplain to the Forces, attached to 185 Field Regiment, Royal Artillery ? A. Yes.

Q Did you perform any duty in the vicinity of the Chateau d'Audrieu, this Chateau, on the afternoon on or about 22nd June, 1944 ? A. Yes.

Q Will you please state the nature of that duty ? A. I began with a burial party to bury six Canadian soldiers found on the edge of the wood here (indicating on sketch). There were three buried that evening.

Q Will you please indicate on the sketch the points at which those bodies were found ? A. There were E and F, and the other body was in the wood behind the graves.

Q What you are telling us is that you buried two bodies ? "The bodies that I buried were two found in the vicinity of points marked E and F and a third body which I believe was found near the point marked G"; is that it ? A. Yes.

Q You have marked the point G as one where a body was found. Do you know the name of that soldier ? A. Yes, His name was Gold, D.S.

Q I understand that there is a difference of opinion as between yourself and some of the non-commissioned officers as to the location of this third body, you maintaining that it was found at G ? A. Yes.

Q And they maintaining that it was found at the point marked D ? A. Yes. I am quite clear about that in my own mind.

Q However, you are both speaking of the same body ? A. Yes, of the same body.

Q The difference of opinion being merely as to the location where it was found ? A. Yes.

Q Will you please describe to the Court the posture in which this body was found ? A. I found this first body as I was coming through the wood this way, by this path (indicating on the sketch) and he was crouching. I turned him over to see if I could find any identification on him. I thought he was one of our own Royal Engineers, according to his flash, and I went back again and was then quite clear that he was with the Royal Winnipeg Rifles.

Q When you say he was crouching, do you mean he was lying on his face ? A. I do remember this body quite clearly. He was lying like this (indicating).

Q Was he up on his elbow ? A. Yes. I remember something of that sort. He was like this (indicating), leaning on his right elbow.

Q Will you describe, if possible, the state of the wound in the body at "C" ? A. Yes, he was lying on his back and most of the head was blown away, about from the neck portion, where thousands of maggots had been, and when the body was moved they all fell to the ground, and there was a part which was put with the rest of the body and carried along the path, and part of that scalp fell away on the path as we went towards the grave. There was at that moment AA fire and pieces falling in the wood.

Q Can you state anything about whether the pockets or personal effects showed that these men had been rifled ? A. No, the pockets were quite orderly, but there was nothing in them.

Q In the course of your duties did you have occasion to be present at the burial of any Germans ? A. I buried seven German bodies at map point 867712 on the 18th June. One was a German officer and the other six were German other ranks. They had been dead some little time; they were fully armed and were obvious battle casualties. In my opinion they had been killed by artillery fire. I handed in all evidence of identification, together with their letters and effects, to my headquarters. From the notes which I took at the time (although these notes are somewhat sketchy, I did make a complete burial return at the time) the following are the particulars of their identification:

- (1) Disc. (Helmet "R. Gellen").
- (2) Disc. 118. 2d Hitler Jugend SS Waffen VT.
- (3) Disc: 13459 SS Naghr IRS Regt.
- (4) Disc: 15450 SS Naghr IRS Regt. Helmet: "Florimond Liemanns".
- (5) Disc: 15648A. Name: SS Oberst Riehm, H.
- (6) Disc: 2296. IE LAH. SS Verfuigungs Truppe
- (7) Disc: 77 Hitler Jugend. Stab AA, Waffen SS.

In my opinion they had been dead several days.

Q What were your suspicions as to how the Canadian soldiers whom you buried met their deaths ? A. I concluded that they had been prisoners in the hands of the enemy because they were without equipment, without letters or documents of any kind and without their pay books, and without any headgear.

Q For the purpose of the record, I should like to relate the bodies found in "A", "B", "C", "D", "E", "F" and "G" to the numbered graves in that group of six graves.

- A.
- No. 1 - "D" or "G"
 - No. 2 - "E"
 - No. 3 - "F"
 - No. 4 - "A"
 - No. 5 - "B"
 - No. 6 - "C"

Q The Queens Own Rifles was put in No. 6 ? A. Yes.

Q The Winnipeg Rifles was put in No. 5 ? A. Yes

Q The major is "A" ? A. Yes.

Q That would be 4 ? A. Yes.

Q How many of the bodies were you able to identify ? A. Two; Gold and Mackintosh.

(The witness withdraws)

RECORD OF THE EVIDENCE

of

CAPT. L. G. SNEATH

CAPT. L. G. SNEATH is called and, having been duly sworn,
is examined as follows:

THE PRESIDENT : What is your name, rank and organization ?
A. Lloyd George Sneath, Captain, Canloan, 101 attached
Hallamshire Battalion, York and Lancaster Regiment.

Q Were you in the area in the vicinity of this Chateau,
Chateau d'Audrieu, on or about the 14th June, 1944? A. Yes.

Q Did you on that day come across any evidence of the presence
of Canadian Troops in the vicinity of this Chateau ?
A. Yes, I did.

Q Will you please state to the Court the place where you came
across this evidence and the nature of the evidence ?
A. In the area at the east end of the wood east of the
Chateau where the road swings off to the south at the junction
where there is a track running east, I picked up the Advance
Book of a Canadian Officer. The name on it was "Major F. E.
Hodge". I knew this officer was a member of the Royal
Winnipeg Rifles. I put this book in my pocket at the time
and 250 yards further back on the track towards Audrieu some
half an hour later I picked up the M.F.M. 279 of the same
officer (record of service). This was picked up in a gateway
on the north side of the track where there was a large number
of personal letters, snapshots and documents, German, French
and British. I looked through some of these papers, picked
out those who I knew to be Winnipeg Rifles and a Nominal
Roll of "A" Company, 1st Battalion, Royal Winnipeg Rifles
along with other Company documents, namely the addresses of
next of kin and others which I do not recall. There were
snapshots of Pte. Adams, letters belonging to Pte. Gold,
a stretcher bearer, the pay books of Fuller and Thomas, and
the pay books of Louis Chartrand and L/Cpl. F. V. Meakin.

Q From the indications in that vicinity did it appear to you
that a Company Headquarters had been captured or over-run
or that these were papers that had been taken from individuals,
or are you unable to form an opinion ? A. I should say that
they were all taken from them as a group, as the papers were
all in a small area and the German positions in that area
were very well put in - There were a lot of German positions
there.

Q Did you infer the indication that the persons whose papers
you had found had been taken prisoners ? A. I would think
from the appearance that they were prisoners at the time the
papers were taken from them.

Q Did you see any British Arms or equipment lying around that
area ? A. There were several pieces of British equipment
within a radius of 20 yards of that gateway.

BRIGADIER TARLETON : Any arms ? A. No arms.

THE PRESIDENT : What disposition did you make of these papers ?
A. They were taken that same night to The Royal Winnipeg
Rifles and handed to the Second-in-Command.

RECORD OF THE EVIDENCE

of

CAPT. H. S. G. THOMAS.

CAPT. HERBERT SAMUEL GRIFFITHS THOMAS is called and, having been duly sworn, is examined as follows:-

THE PRESIDENT: Will you please state to the Court your name, rank, organisation and duty? A. Herbert Samuel Griffiths Thomas, Chaplain to the Forces, 4th Class, attached Hallamshire Battalion, The York and Lancaster Regiment.

- Q Did your duties bring you to the vicinity of the Chateau d'Audrieu on or about 14th June, 1944? A. Yes.
- Q How did you happen to come here? A. One of our Companies had positions round the Chateau and the Company Commander, Major Lockwood, O.C. "B" Company, Hallamshire Regiment, had seen thirteen dead Canadians lined up against the hedge at the top of the wood, just inside the top of the garden of the Chateau, and he sent for me to see them with a view to arranging for their burial.
- Q On your arrival at the Chateau will you tell the Court what you found here? A. I came up the main drive and reported to the Company Office which was in one of the outbuildings. I reported to the Company Commander and he took me up to see the bodies, and having done so we left them.
- Q I call your attention to this sketch map of the Chateau and grounds and ask you to indicate on this map the location in which you found these bodies? A. I found them along this hedge at the point marked "K". There were one or two bodies just round the corner there slightly detached from the others, a matter of two yards (indicating on sketch map).
- Q What uniform did these bodies wear? A. They were all wearing battledress and with "Royal Winnipeg Rifles" on their shoulders.
- Q What was the state of their clothing? A. Some had boots on, others had their boots taken off; none had equipment on; they had no helmets on, their helmets were just strewn about the place; there was no sign of arms or equipment.
- Q Was there any evidence of the pockets of these men having been pilfered? A. No.
- Q Were there any papers, photographs, or other objects of a similar nature strewn about? A. Yes.
- Q Did you examine any of these papers? A. No, I did not. I collected them and I handed them over to a Canadian Officer later on who came up to our Battalion Headquarters.
- Q Do you know the name of that officer? A. I do not.
- Q Describe to the Court please as accurately as you can the nature of the wounds which these men had received? A. They had all been shot through the head.
- Q Can you say whether you think they had been shot in the back of the head or otherwise? A. I cannot say.

EXHIBIT No. 9.

- Q What part of the head appeared to be the entering wound?
A. That I cannot say. In one case in particular the top of the head was off; there was nothing left from the eye-brows up.
- Q How extensive were these head wounds? A. In the majority of the cases they were clean wounds, but there were one or two - I cannot say exactly how many - where they had been badly shattered, and one case I remember in particular.
- Q Can you state positively that each and every one of the thirteen had a head wound? A. Yes. I can say that definitely.
- Q Was there any sign of their having been wounded elsewhere than in the head? A. No. I am almost definite on that; I am certain there were not any other signs.
- Q You state that these bodies were lined up along a hedgerow. With relation to that hedgerow how were the bodies arranged or disposed? A. Speaking generally, they had fallen in a row parallel to the hedge. In one or two cases they had fallen back into the hedge and others had fallen forward. In one or two cases they had spun round and fallen sideways. There were two detached ones lying two yards apart from the others.
- Q Were you able to identify these bodies? A. Yes.
- Q All of them? A. All of them.
- Q By what means did you identify them? A. By their identity discs.
- Q Did you go through the pockets of these men? A. Yes.
- Q Did you find any pay books or other identification papers?
A. Yes.
- Q How many? A. I did not find all the pay books. I cannot tell you exactly how many I found. I put them all in one bundle and they were all handed to this Canadian Officer, but all identity discs were found.
- Q Who was with you at that time? A. Major Lockwood, who has since been killed in action. We did have someone at the gate with a Sten gun because the wood had not been cleared of the enemy then.
- Q Did you bury these bodies on that occasion? A. No, we left it for a few days because I went back to Battalion Headquarters and sent in a report to Brigade to say that I thought these men had been shot by the enemy while they were prisoners of war. I postponed the burial thinking that somebody might come along to look into things more definitely and they were all left for, I think, five days, until we moved from the area, and I thought that before we moved we should bury them, and so we carried out the burial. They were left for those five days purposely in the hope that someone would come to examine them.
- Q I gather then that you returned four or five days later to bury them and to conduct the burial service? A. Yes.
- Q On that occasion did you gather any further information about these men in connection with matters concerned with the question just asked you? A. No, I cannot say that I did because we had made a very thorough search the first time we went there. We did pick up one or two odd letters and photographs; that was all, but nothing which helped the case at all.
- Q Was Captain Sneath with you when you came to bury the bodies?
A. No, he was on duty.

- Q Are you familiar with the uniform of the S.S. troops?
A. Yes, I am.
- Q Did you find out at any time the unit to which these men belonged? A. On the left sleeve band of the soldiers was written "Adolf Hitler"; I think it was on the left sleeve, but I am not certain.
- Q Was that on all of the soldiers who were here on the afternoon of 8th June? A. All those whom I noticed had "Adolf Hitler" on their sleeve, but many of them had rain capes on and I could not say about them. I could not see what they had on their sleeves.
- Q On this afternoon of June 8th did any parties of British soldiers, soldiers in British uniform, arrive at the Chateau?
A. Yes.
- Q How many parties of them were there? A. First of all, at 1400 hours we saw one group of three soldiers.
- Q Please tell the Court what became of these three soldiers in British uniform. Where did you first see them? A. At 1400 hours I was in Miss Monique Level's room on the first floor and through the window I saw men in British uniform near the sycamore tree.
- Q What were they doing at that time? A. I saw the three soldiers in British uniform near the sycamore tree and they walked to a place beneath the sycamore tree. At this point my view of them was obstructed by the tree.
- Q At that time were the German officers also under the sycamore tree? A. I do not know.
- Q Did you see them anywhere else at that time? A. No, I did not see them anywhere else.
- Q What did these soldiers do then? A. Then I came down to my own room on the ground floor. I went out through the window and sat in the pathway.
- Q At the far side of the pathway or the near side? A. Near the Chateau; on the side of the pathway towards the house. I saw the three soldiers in British uniform march by.
- Q How near did they pass to you? A. Three to four spaces. I could tell you exactly if I were on the spot.
- Q As they passed you did you notice any mark on their uniform to show what unit they belonged to? A. No, I did not notice.
- Q Did you notice any badges on the arm? A. No, I did not notice anything.
- Q Where was Monique Level at that moment? A. She was sitting next to me.
- Q Who was with these soldiers in British uniform? A. Two or three German soldiers.
- Q Were these soldiers Adolf Hitler Division soldiers; did they have the Adolf Hitler badge on them? A. I did not notice it at that time.

- Q Please tell the Court what weapons, if any, the German soldiers had who were with these British soldiers? A. I know that they had firearms; if they had not had firearms I would have noticed it. It was a normal thing for me to see them with firearms and I did not pay any attention to the firearms. I noticed that they were armed, but I did not notice the particular kind of weapons.
- Q How closely behind the soldiers in British uniform did the German soldiers march? A. There were some in front and some behind; there were two or three Germans escorting them and they were all in single file.
- Q Did the British soldiers, as they went by, have any field equipment on them? A. They were wearing boots and were dressed in battledress, trousers and tunic without hats. They had no weapons or equipment.
- Q Did you notice, as these soldiers went by, the attitude or manner of the British soldiers? A. They walked without looking in any direction and their faces were expressionless.
- Q Did you notice whether one of them was an officer? A. No, I did not notice.
- Q Were their hands tied? A. No.
- Q Where did this party go? A. They went by me from right to left.
- Q And then where did they go? A. They went along the pathway but I do not know where they went because I came into the Chateau.
- Q How far had they gone when you went outside? A. Not very far away, as I went in immediately.
- Q Can you tell the Court why you returned to the Chateau at that time? A. I am not sure why I entered the Chateau at that time, but I had in mind preparing some part of the Chateau as an air-raid shelter.
- Q Did you form any opinion or conclusion at that time as to what was to be done with these British soldiers? A. No, I did not form any opinion at this moment.
- Q Where did you go when you came back from the house, can you remember? A. I came back into the house and entered into the kitchen where I saw Monique.
- Q When you came in did Monique remain outside? A. Yes.
- Q Then it was later on that you saw Monique in the kitchen? A. Yes, but it was not very long.
- Q Did you hear any shots at about that time? A. Yes, before I saw Monique I heard several shots quite close to the house, and I did not know what it was.
- Q From what direction? A. From the back of the house.
- Q From the direction of the park? A. Yes.
- Q Will you please indicate on this sketch map the direction from which you thought those shots came? A. I was in the north wing of the Chateau and the shots came from an easterly direction in the park (indicating on sketch map).

EXHIBIT No. 10.

- Q About what hour was it that Raymond told you this ? A. I think it was about four o'clock in the afternoon of that same day, but I am not quite sure. I recall that I had to give alcoholic stimulant to Raymond and Rene Lanoue.
- Q After you told Raymond to stay in the house did you tell anyone else about what he had said ? A. Monique was with me when Raymond told me about this.
- Q Did you tell Rene what his son had told you ? A. I must have told Rene about the shootings in order that he would keep quiet and with the object of preventing him from going round and trying to see what the Germans were doing.
- Q Afterwards did you see these bodies ? A. The next day.
- Q I have here a sketch map of the Chateau and the grounds. Will you please point out where you saw those bodies ? A. Along the hedge at this point (indicating point "K").
- Q How many bodies were there ? A. I did not count them.
- Q Do you know approximately how many ? A. I thought there were thirteen.
- Q Did you see any British equipment or weapons lying around ?
A I did not notice any of their equipment nearby, but I did notice that some of them were without boots.
- Q Can you tell how the bodies were placed in respect to the hedgerow ? A. The bodies were in a row along the hedge; most of them had their heads towards the hedge.
- Q Could you tell how these men had been killed ? A. They had been shot in the head.
- Q All of them ? A. Yes, all of them. I saw their wounds.
- Q Did you see any other wounds on them besides in the head ?
A They may have had other wounds, but I did not notice them.
- Q At what time was this when you visited the spot ? A. On Friday, 9th June, about two o'clock in the afternoon with a British soldier. This British soldier looked closely at the bodies and he said they were Canadians.
- Q What grade was this soldier ? A. He was a soldier who was attending to wounded personnel; he had a white arm band with a red cross on it.
- Q Did you see any fresh blood on their faces ? A. I saw that their faces were covered with blood which was not flowing.
- Q Did any German wounded soldiers come to the Chateau that day ?
A No one came, but we picked up one in front of the gate entering the West side of the Chateau.
- Q Who picked him up ? A. Monique Level, the gardener Rene Lanoue, the gardener's son, Raymond, another boy who I do not know and myself. This was about 10.30 at night.
- Q Was he badly wounded ? A. He had an injury to his upper arm and the arm was fractured. A bullet had entered his left leg here and came out there (indicating point of entry near the hip and exit near the knee).
- Q Was he able to walk ? A. No.
- Q Did you take him into the Chateau ? A. Yes.

- Q Did you get his name? A. Yes; we got all his identity papers which we gave to the English people.
- Q Did you have any conversation with him? If so, will you please tell the Court what that conversation was? A. We first thought that he was going to die, and then he kept on talking; he seemed to be delirious, and as we were not sleeping I was listening to what he was saying. He said that he would be shot by the English and we as well. Then he said he had been in Russia for two years, that his mother would die if he died and he had had enough of the war. He said to us: "Why are you treating me? I am a German". He then said that three or four German Divisions were arriving and that Audrieu would be retaken by the Germans in three or four days time. He asked me how many kilometres it was to Laigle and Evreux. The German told me he wanted to go to that place on foot as he did not want to be taken prisoner, but he could not walk.
- Q Did he say anything more about his badges? A. Yes. He asked us to hide his uniform because he said if he was found in S.S. Uniform he would be shot. I told him that the English did not shoot their prisoners and he did not believe me. He told me a story which I did not understand very well. The story was that his Colonel had been taken prisoner by the English and wounded by the British and he later escaped from the British. I cannot remember the story as I heard it then.
- Q Do you know what Unit he belonged to? A. Adolf Hitler.
- Q Have you ever seen this man before? A. No, but the domestic help said that they recognised him and that he had come to the house for a drink on the afternoon of the 8th June.
- Q What became of this prisoner? A. At noon on 9th June, 1944, we went to the village of Audrieu and the English Red Cross came and got this prisoner.
- Q Do you remember this man's name? A. I think it was Ernst Ablender.
- Q When did the German troops which came here on the 8th June leave the Chateau? A. Around 8 or 9 o'clock on the evening of 8th June, 1944.
- Q Did they take their vehicles with them? A. They took some but they left a good many behind.
- Q Did the shells from the bombardment fall in the trees and in the area where the German vehicles had been placed? A. Yes, on their vehicles throughout the grounds, on an ammunition dump and in the field and garden at the rear.
- Q Are you sure that it fell at the same place where there was a lot of German ammunition? A. Yes.
- Q How could you tell this? A. The others told me and I saw it burning.
- Q The Germans left on the night of June 8th. Do you know when the Germans returned here? A. They did not go very far away. There were always a few left in the park. On Monday morning the gardener met one of the Germans here in the grounds. This Chateau always remained an outpost.
- Q If you were able to see any of these Germans again would you be able to identify them - I refer particularly to the Germans who escorted the prisoners past you - or any of the German officers?

DEPOSE DU TEMOIGNAGE

DE

Mlle BEATRICE MARIE MARGUERITE DOMINIQUE DELAFON.

LE PRESIDENT: Votre nom est-il Béatrice Marie Marguerite Dominique Delafon ? R. Oui, c'est cela.

Q Ou demeuriez-vous le 8 juin 1944 ? R. Au château d'Audrieu.

Q Qui est le propriétaire du château ? R. Mon oncle, M. Philippe Level.

Q Qui demeurait au château le 8 juin à part de vous-même ?
R Ma tante, Mme Philippe Level, ma cousine, Monique Level, Antoinette Level, qui est âgée de 17 ans, mes amies, Annie de Gautret, Mlle Louise Durant, le jardinier, René Lanoue, sa femme, Louise Lanoue et son fils, Raymond Lanoue.

Q Quel âge avez-vous ? R. 22 ans.

Q Y a-t-il eu des troupes ou des formations allemandes qui sont arrivées au château le 8 juin 1944 ? R. Oui, nous les avons vues arriver vers midi le 8 juin.

Q Qu'en ont-ils fait à leur arrivée ? R. Ils se sont installés pour la bataille. Ils ont installé leurs téléphones et leurs tentes qu'ils ont camouflées.

Q D'après-vous ont-ils établi un poste de commandement ? R. Oui, ils ont établi un poste de commandement sous le sycamore et c'est là où leurs lignes de téléphones étaient en opération.

Q Combien d'officiers et de soldats étaient dans ce groupe ?

R J'ai vu trois officiers et je ne puis vous dire le nombre des soldats. Ils allaient et venaient tout le temps et je ne pourrais exprimer une idée du nombre d'hommes dans l'unité.

Q Avez-vous remarqué quel était le grade des officiers ? R. J'ai premièrement vu un capitaine et j'ai aussi vu un commandant, mais je ne pourrais dire son grade. Les allemands parlent d'un commandement; qui est du grade d'un capitaine et au dessus. Celui-ci avait la Croix de Fer autour de son cou et j'ai conclu qu'il était Chevalier de l'Ordre de la Croix de Fer.

Q Vous avez dit qu'il y avait un troisième officier ? R. Oui. Le troisième était habillé en noir. Je ne puis pas dire son grade.

Q Était-il habillé en noir ou d'un bleu foncé ? R. Noir, avec une tête de mort et des os croisés sur chaque côté de son col.

Q Quel sorte de chapeau portaient ces officiers ? R. Ils portaient des casquettes molles avec une visière dure et l'autre portait une casquette de campagne.

Q Pouvez-vous vous rappeler ce que les autres avaient sur leurs cols ? R. Je savais qu'ils étaient des S.S., mais je n'ai pas regardé à leurs insignes de grade.

EXHIBIT No. 10 (FRENCH).

- Q Etes-vous renseignée sur les tenues des troupes S.S.?
R. Oui, je le suis.
- Q Avez-vous jamais su à quelle unité que ces hommes appartenaient?
R. Les soldats avaient un brassard sur la manche gauche sur laquelle était inscrit "Adolf Hitler"; je pense que c'était sur la manche gauche, mais je ne suis pas certaine.
- Q Est-ce que cet insigne était porté par tous les soldats qui étaient ici pendant l'après-midi du 8 juin? R. Tous ceux que j'ai remarqués avaient "Adolf Hitler" sur leurs manches; mais plusieurs d'entre eux portaient des imperméables; alors je ne peux rien dire de ce qui regarde ceux-ci. Je ne pouvais pas voir ce qu'ils avaient sur leurs manches.
- Q En cet après-midi du 8 juin y a-t-il eu des groupes de soldats britanniques, c'est-à-dire des soldats en tenue britannique qui sont arrivés au château? R. Oui.
- Q Combien de groupes de ceux-ci y avaient-ils? R. D'abord, à quatorze heures nous avons vu un groupe de trois soldats.
- Q Veuillez dire à la court ce qu'est devenu de ces trois soldats en tenue britannique. Ou les avez-vous vus pour la première fois? R. A quatorze heures, j'étais dans la chambre de Mlle Monique Level au premier étage et par une fenêtre j'ai vu des hommes en tenue britannique près du sycamore.
- Q Que faisaient-ils à ce moment là? R. J'ai vu les trois soldats en tenue britannique près du sycamore et ils se sont rendus dans un endroit sous le sycamore. A cet endroit les arbres obstruaient ma vue.
- Q A ce moment là, est-ce que les officiers allemands étaient aussi sous le sycamore? R. Je ne sais pas.
- Q Les avez-vous vus ailleurs à ce moment là? R. Non, je ne les pas vus ailleurs.
- Q Qu'on fait ces soldats ensuite? R. Ensuite j'ai descendu à ma chambre au rez-de-chaussée. J'ai sorti par une fenêtre et je me suis assise dans le sentier.
- Q Sur le côté opposé où sur le côté du sentier qui est le plus près du château? R. Près du château, sur le côté du sentier le plus près de la maison. J'ai vu passer les trois soldats en tenue britannique.
- Q A quelle distance de vous ont-ils passé? R. Trois ou quatre pas. Je pourrais vous le dire exactement si j'étais sur place.
- Q Quand ils sont passés, avez-vous remarqué sur leur tenue des insignes démontrant à quelle unité ils appartenaient? R. Non je n'ai pas remarqué.
- Q Avez-vous remarqué des insignes sur leurs bras? R. Non, je n'ai rien remarqué.
- Q Ou était Monique Level à ce moment? R. Elle était assise à côté de moi.
- Q Qui accompagnaient ces soldats en tenue britannique? R. Deux ou trois soldats allemands.
- Q Est-ce que ces soldats appartenaient à la division Adolf Hitler; portaient-ils l'insigne d'Adolf Hitler? R. A ce moment là je n'ai pas remarqué.

EXHIBIT No. 10. (FRENCH).

- Q Avez-vous causé avec les soldats allemands où les avez-vous entendu parler des prisonniers britanniques ? R. Tout ce que j'ai entendu dire c'est seulement ce que je vous ai dit, apropos des couteaux, et ce que j'ai dit que nous nous ferions tuer.
- Q Avez-vous vu aucun autre groupe de soldats britanniques autour du chateau durant cette après-midi ? R. Oui. Juste après cela, je suis montée au grenier du chateau et par la fenêtre du côté est, j'ai vu des soldats en tenue britannique qui traversaient la pelouse en arrière du chateau, marchant du sud au nord au-delà de la perche. Ils me semblèrent entrer dans le bois du côté nord du champ, mais ils ont disparu de ma vue lorsqu'ils ont été au-delà du gros cèdre. Aussitôt qu'ils disparurent, j'ai entendu des coups de feu; je les ai comptés et il y avait autant de coups de feu qu'il y avait de soldats britanniques. J'étais particulièrement attentive à cause de ce que Monique venait de me dire de ses soupçons au sujet du traitement accorder au premier trois soldats britanniques.
- Q Y avait-il des soldats allemands avec ces soldats britanniques ? R. Oui.
- Q Savez-vous combien ? R. Oui; deux où trois.
- Q Ceci est très important. Combien de temps s'écoula entre le temps que vous les avez perdu de vue au-delà du cèdre et l'instant que vous avez entendu les coups de feu ? R. Ce fut très vite, parce que j'ai remarqué cela particulièrement.
- Q Avez-vous vu les soldats allemands retourner de cette endroit ? R. Je pense que oui mais je n'en suis pas certaine.
- Q Pourriez-vous dire quelles sortes d'armes que ces soldats allemands avaient ? R. Non.
- Q Croyez-vous que les soldats que vous avez vus passer à travers le champ étaient les mêmes que vous avez vus passer sur la route; pourriez-vous dire ? R. Non, ils étaient trop éloignés pour me permettre de dire.
- Q Pourriez-vous dire oui où non si ces soldats britanniques étaient nu-pied à ce moment là ? R. Non; ils étaient trop loin.
- Q Est-ce qu'ils paraissaient avoir venu du poste de commandement sous le sycamore ? R. C'est possible, mais je ne le sais pas.
- Q Savez-vous si l'endroit où allèrent ce deuxième groupe de soldats était le même endroit où allèrent les premiers ? R. Non. Je ne sais pas. C'est possible, mais je ne pense pas que c'était le même endroit.
- Q Pourriez-vous dire si ce deuxième groupe de soldats anglais portaient sois des armes où des équipements ? R. Ils ne portaient rien.
- Q Est-ce qu'ils avaient des casquettes ? R. Non.
- Q Savez-vous si un troisième groupe de soldats anglais où canadiens est venu au chateau ce jour là ? R. J'en ai vu aucun vivant.
- Q En avez-vous vu mort ? R. Oui, le lendemain après le déjeuner.

EXHIBIT No. 10. (FRENCH).

- Q Comment avez-vous entendu parler pour la première fois de ce groupe ? R. D'abord du fils du jardinier et ensuite de son père.
- Q Vous avez dit que premièrement vous avez appris cela de Raymond Lanoue. L'avez-vous alors dit à d'autre ? R. D'abord j'ai vu Raymond; sa figure était très bouleversée parce qu'il avait été chercher les cochons et il avait vu des choses horribles. Je lui ai dit de se taire, parce que je croyais savoir ce qu'il avait vu; et parce que je savais qu'ils avaient déjà fusillés des canadiens et que je croyais qu'il avait vu d'autres cadavres. Ensuite, j'ai dit au jardinier et à son fils de rester dans la maison, mais je crois qu'ils sortirent tout de même.
- Q Quelle heure était-il quand Raymond vous a dit cela ? R. Je pense qu'il était environ quatre heures de l'après-midi de ce même jour, mais je n'en suis pas tout à fait certaine. Je me rapelle que j'ai dû donner un stimulant d'alcool à Raymond et René Lanoue.
- Q Après que vous avez dit à Raymond de rester dans la maison; en avez-vous parlé à d'autres de ce qu'il vous avait raconté ? R. Monique était avec moi quand Raymond m'a raconté cela.
- Q Avez-vous dit à René ce que son fils vous avait dit ? R. J'ai dû en parler à René apropos des fusillades afin qu'il reste tranquille et pour l'empêcher de fureter et d'essayer de voir ce que les allemands faisaient.
- Q Plus tard, est-ce que vous avez vu ces cadavres ? R. Le lendemain.
- Q J'ai ici une carte représentant le chateau et le terrain qui l'entour. Voudriez-vous indiquer l'endroit ou vous avez vu les cadavres ? R. Tout le long du buisson à cet endroit (indiquant le point "K").
- Q Combien de cadavres y avait-il ? R. Je ne les ai pas comptés.
- Q Pourriez-vous nous dire combien à peu près ? R. Je pensais qu'il y en avait treize.
- Q Avez-vous des armes ou équipements aux alentours ? R. Je n'ai pas remarqué s'il y avait de leurs équipements autour, mais j'ai remarqué que certains d'entre eux n'avaient pas de chaussures.
- Q Pouvez-vous dire comment les cadavres étaient placés en relation au buisson ? R. Les cadavres étaient rangés le long du buisson, la plus part ayant leurs têtes vers le buisson.
- Q Pourriez-vous dire de quelle manière ces hommes avaient été tués ? R. Ils avaient été fusillé dans la tête.
- Q Tous ? R. Oui, tous, car j'ai vu leurs blessures.
- Q Avez-vous vu d'autres blessures à part de celles qu'ils avaient à la tête ? R. Il pouvait y en avoir, mais je n'en ai pas remarqué.
- Q Quelle heure était-il quand vous avez visité cette endroit ? R. Le vendredi, 9 juin, vers deux heures de l'après-midi avec un soldat anglais. Ce soldat anglais examina les cadavres de très proche et il me dit qu'ils étaient canadiens.

RECORD OF THE EVIDENCE

of

SERJEANT G.H. MINARDS.

SERJEANT G.H. MINARDS is called and, having been duly sworn, is examined as follows:-

THE PRESIDENT: Will you state to the Court your full name, number, rank and organisation? A. George Haydon Minards, 2070751, Lance-serjeant, 289 Field Park Company, Royal Engineers.

Q Did you have any duties to perform in the vicinity of the Chateau d'Audrieu on or about the 28th June, 1944? A. Yes.

Q Will you state to the Court the nature of that duty? A. On the evening of the 28th two of my men reported to me the finding of the bodies of two Canadian soldiers in the wood. I then organised a search party and we scoured the wood the same evening and together we found seven bodies. I identified them as far as possible and we carried on burying them the next morning.

Q I will show you this sketch map of the Chateau and its grounds and ask you to indicate on it the area in which you found these bodies. A. I found two bodies at Point "G" and the remaining five were found across the path in this area here. (The witness indicates a point North of the track or trail quite near thereto).

Q Were you able to identify these bodies with respect to the organisation that they belonged to? A. No, not the units, their specific units. I was able to identify them only as six Canadians and one British soldier.

Q What was the nature of the wounds on these bodies? A. So far as I can remember, six had body and head wounds and the British soldier was shot in the head.

Q Will you clarify that a little bit by first describing the nature of the wounds of the two soldiers found near Point "G"? A I cannot do it truthfully, sir.

Q You see, your answer said that they had body and head wounds? A Yes.

Q Can you state how many of them had head wounds which would have proven fatal? A. At least five of them.

Q Do you want to say at least five, possibly more, or would you rather let it stand at that? A. I would rather let it stand at that.

BRIGADIER MACKLIN: Are there any you distinctly remember not shot in the head? A. No; it would be difficult to say because in some cases there were some bodies which were badly decomposed.

THE PRESIDENT: Did you find any weapons, British weapons or equipment near at hand? A. No.

Q Were there any British helmets? A. No.

Q Did you examine the pockets of these soldiers? A. Only of those on whom we could not find identity discs.

Q On how many were you able to find identity discs? A. Four.

EXHIBIT No. 11.

- Q Then you did search the pockets of the other three for identification ? A. The other three I did search, but I did not find any identity discs on them.
- Q You went through their pockets ? A. Yes.
- Q Did you find anything on them by which you could identify them ?
A On two of them I did.
- Q What did you find ? A. On one I found a wallet containing an Ontario driving licence, photographs and a letter; on the second one I found a small notecase containing photographs and also on the wrist was a silver identity disc of non-military pattern, civilian pattern.
- Q Was his name on this disc ? A. Yes.
- Q And number ? A. No; just the name.
- Q When did you first come into the Audrieu area ? A. I am afraid I cannot remember the exact date.
- Q About ? A. About a fortnight ago.
- Q How long previous to the time that you buried these men did you come into this area ? A. About three days.
- Q Could you form any opinion as to how long these men had been dead ? A. I should say, at the time, about a fortnight, sir.
- BRIGADIER TARLETON: Were any of them wearing boots ? A. Two of them were wearing boots.
- THE PRESIDENT: At the point where these bodies were found were the woods and the underbrush very dense ? A. The underbrush was fairly dense; it would be difficult to see them clearly from the path.
- Q Would a person passing along the path or along the edge of the wood have been likely to have seen these bodies ? A. No, not unless he was peering into the undergrowth.
- Q Did you form any opinion at that time as to how the shoes might have been removed from these men's feet ? A. No, I did not.
- Q Did it occur to you that it was unusual that these men should be without boots or shoes ? A. No, I did not think of it at the time.
- Q Did you complete your task, your assigned task of burying these soldiers ? A. Yes, I completed it on the morning of the 29th.
- Q Was there anyone present when the graves were filled in ?
A Yes.
- Q I mean by that, besides your burial party ? A. Yes; two officers.
- Q Do you know the names of the officers ? A. Yes. Lieutenant R.W. Saunders, R.E., 289 Field Park Company, Royal Engineers, and Lieutenant P.R. Arthur, R.E., of the same unit.
- Q That was the first time that they had seen the bodies, was it ?
A Yes.
- Q When they saw the bodies, were the bodies then wrapped in blankets ? A. They were.

EXHIBIT No. 12.

- Q Do you think you could recognise or identify any of these officers or soldiers if you ever saw them again? A. I could well recognise the three officers and at least one of the soldiers.
- Q Did you see any soldiers in British uniform that day in the vicinity of the Chateau? A. Yes, I saw three.
- Q With reference to those three British soldiers, where were you when you first saw them? A. In my room.
- Q Where were they at that time? A. They were coming out of the park from the South, going North, and came over to the Command Post.
- Q What did the German troops do when they arrived? A. All the officers gathered behind the Chateau with their maps. They studied the maps and were talking in German.
- Q And then what happened? A. They organised their Command Post under the sycamore tree and they set up telephones; armoured cars came in carrying wounded personnel. The troops set up defensive positions in the Chateau grounds.
- Q How soon after the German troops arrived did you see these men in British uniforms? A. I have no idea, but I think it was approximately two hours after the first German troops arrived.
- Q Where did they set up their Command Post? A. At the sycamore tree.
- Q When you first saw these British soldiers, soldiers in British uniform, where were they with reference to the sycamore tree? Can you show me on the map? A. They were coming out of the trees just South of the sycamore tree.
- Q And did they go under the sycamore tree? A. Yes.
- Q Do you know how long they stayed under the sycamore tree? A. Approximately a quarter of an hour.
- Q After you first saw these men where did you go? A. I went over to the monument near the tennis court.
- Q How long did you stay near the monument (obelisk)? A. About three minutes.
- Q Did you see what was going on or what was happening at the sycamore tree? A. There were people going and coming from this Command Post and I could not see what was taking place. I heard nothing.
- Q Could you see the British soldiers under the tree? A. No.
- Q Did you then return to the Chateau? A. Yes, I returned to the front of the Chateau and stood near it on the Eastern side.
- Q Did anyone join you there? A. Yes; Beatrice and Annie de Gautret.
- Q When did you see the British soldiers the next time? A. They came out from under the sycamore tree and travelled along the pathway past the Chateau.
- Q Along the road? A. Along the pathway.
- Q Will you please show me where you were standing at that time? (The witness indicates on the sketch map Point "M").
- Q Who was with these British soldiers at that time? A. Two German soldiers and one German N.C.O.

- Q Were the British soldiers carrying any weapons or equipment?
A. No, none at all.
- Q How were the German soldiers armed? A. They had their
revolvers and small machine guns.
- Q In which direction did they go? A. Towards the North in the
direction of the park. They walked along the road into the park
and as they reached the little fork in the road the English
soldiers started to turn left along the other fork and the Germans
stopped them and hit them and made them continue on the road
into the woods.
- Q How far did you see them go along this road; did you see them
until they entered the woods? A. I walked along the road
behind them to the vicinity of the little road fork and stopped.
Here they disappeared from my sight.
- Q Where did you go then? A. I came back to the house.
- Q Do you know what happened to these British soldiers? A. Yes.
I heard shots fired when I came to the house and immediately I
saw the escort return from the woods.
- Q Where were you when you heard the shots? A. I cannot recall,
but I was on the pathway back of the Chateau.
- Q How many shots did you hear? A. Three shots.
- Q Were the shots separate or together? A. Separate, but one
right after the other.
- Q Do you know whether these were English or Canadian soldiers?
A. I do remember that they had something blue on their sleeves.
I was not definite about them being Canadian or British, and
the Germans referred to them as "Tommies".
- Q Did you ever find out whether they were Canadians? A. No,
I did not find out that they were Canadians.
- Q When the German N.C.O. and soldiers came back did they go to
the sycamore tree? A. Yes.
- Q Did you see them come back? A. I saw them come back from the
woods, and they passed in front of me, and they returned to the
Command Post.
- Q Did you notice anything unusual about them as they passed by you
returning to the Command Post? A. I do not recall anything.
- Q At that time what did you think had happened to the British
soldiers? A. I was sure they had been shot.
- Q Did any German soldiers come into the Chateau later in the day?
A. Yes.
- Q Did you hear any of these German soldiers say anything that was
connected with this incident of the three soldiers? A. There was
a conversation I had with the German soldiers regarding the
cigarettes, but I do not think that applies to the three.
- Q Did you see any German officer at any time when these British
soldiers were being marched away? A. I saw the colonel
coming from the Command Post, and the captain passed in front
of us and we spoke to him.
- Q Both of them passed you? A. The colonel left the sycamore and
went into the woods in the direction from which the prisoners
had come. The captain walked along the front of the house and
spoke to us.

- Q Did you go there to show them to this English officer? A. Yes.
- Q Did a German soldier come into your kitchen on the afternoon of the 8th June about 5 o'clock? A. Yes.
- Q What did he say to you? A. He took a round box of cigarettes from his pocket and he said: "Good English cigarettes. I took them from the prisoners and we kif-kif them" (indicating a throat cutting gesture). Then he said: "No, not like that; it was with my revolver", and at this he took his revolver from his holster and put it back into the holster saying: "It was I who killed them".
- Q Do you know what soldiers he meant; did he mean the thirteen soldiers or the three? A. I do not know which soldiers he was referring to, but I would recognise the same German soldier again.
- Q Was he the Colonel's batman? A. No.
- Q Was he the same man who was wounded later? A. No.
- Q Did any wounded German soldier come to the Chateau that day, the 8th June? A. Yes, at 10 o'clock at night, or later, it was getting dark and we picked a soldier up five metres outside the gate.
- Q How was he wounded? A. His arm was fractured in five places and he had a bullet injury which had a point of entry at the hip and a point of exit at the knee.
- Q Did you bring him into the Chateau? A. Yes, we carried him to the Chateau on a door.
- Q Did he talk to you while he was in the Chateau? A. Yes, he did all the while he was here.
- Q Do you understand German? A. I can make myself understood in German.
- Q What did this soldier say to you? A. He told me about the English treatment of German prisoners and he asked me to put him outside because the British would shoot us if they found him in the Chateau. He told me that a Colonel had been captured by the British Forces and whilst walking from the German to the British lines he was shot three times in the stomach. He went on to say that this Colonel was retaken by the Germans and is now believed to be in a German hospital.
- Q What unit did the soldier belong to? A. From his documents I seem to recall that he belonged to the 12th S.S. Adolf Hitler Division.
- Q Did he have an Adolf Hitler marking on his sleeve? A. Yes.
- Q Did he ask you to take off any of his badges? A. He asked us to burn his papers and to remove all his insignias.
- Q Did you remove them? A. I removed them and gave them to some English soldiers later.
- BRIGADIER TARLETON: Do you remember the name of the prisoner?
A. I recall that his name was Ernst Ublander, or some name similar to that.
- Q Was this soldier a soldier whom you had seen before? A. This soldier had his noon meal in the Chateau kitchen. I do not recall seeing this German as part of the escort to the British soldiers who were shot.

Q What is the meaning of the expression "Kif-Kif"? A. It is an expression which means to kill someone.

LT. COL. BLACKHURST: Did you see the German unit leave the Chateau grounds on the night of the 8th June? A. The captain came to us and asked if there were any wounded men, and he then said: "The battle is over and we are leaving". There was firing going on around the Chateau and I saw the Captain leave the house, and then I heard the troops move away in their vehicles.

Q Do you know whether there were any British soldiers with them when they left or immediately before they left? A. There were none.

THE PRESIDENT: Before this German unit went away did artillery shells fall into the park where their vehicles were? A. Yes, shells did fall in the park amongst their vehicles, and their ammunition dump was blown up.

Q Do you know whether any of the vehicles which they brought with them were destroyed? A. Yes, some were but not all.

Q Have you seen the destroyed vehicles which are now out in the park? A. Yes, I saw them before they were destroyed and since. They kept under cover because of the shelling and machine-gunning in the evening, but I saw the vehicles in the park and at the rear of the Chateau.

BRIGADIER MACKLIN: Are those vehicles now smashed and destroyed in the park the same vehicles that belonged to the unit that was here on the 8th June? A. Yes, they are the same.

THE PRESIDENT: Can you tell us to whom you gave the papers which belonged to the wounded Germans? A. I gave some to the English doctor who came to get the wounded man on the 9th June. I gave some to the Intelligence Officer of the Green Howards. I gave some to Captain Attlee, Headquarters 15th Scottish Division.

(The Court adjourns to the rear of the Chateau).

Q Will you show us just where you were standing when the British prisoners came by? A. When I first saw them coming from the wood I was in the upper first floor window at the North-East corner of the building.

Q Then when they passed you where were you? A. I was here (indicating second window North of the main back entrance) talking to Annie and Beatrice.

Q When you walked after them how far did you go? A. Nearly to the little fork in the path.

Q How far had they gone when you last saw them? A. About as far as the point where Lt. Col. McClain is now. (The spot where Lt. Col. McClain stands is a point about 80 paces East of the little fork in the path).

Q Where were you standing when you heard the shots? A. I was about by the rose-bush a few metres from the house.

Q From which direction did the sound of the shots come? A. From the direction of where the prisoners entered the wood.

Q Could you show us from here about where you saw the second group of British prisoners come out of the woods? A. I saw them beyond the pole going from right to left across the open space.

(The witness withdraws).

(The Court return to the Court Room).

EXHIBIT No. 12 (FRENCH).

- Q Etes-vous alors retournée au château? R. Oui, je suis retournée devant le château et je suis restée tout près du mur sur le côté est du château.
- Q Est-ce que quelqu'un vous a rejoint à cet endroit? R. Oui, Beatrice et Annie de Gautret.
- Q Quand avez-vous vu de nouveau les soldats anglais? R. Ils sont sortis du sycamore et marchèrent le long du sentier au-delà du château.
- Q Le long de la route? R. Le long du sentier.
- Q Voulez-vous s'il vous plait me montrer sur la carte l'endroit où vous étiez à ce moment là? R. (Le témoin indique sur la carte l'endroit "M").
- Q Qui était avec ces soldats anglais à ce moment? R. Deux soldats allemands et un sous-officier allemand.
- Q Est-ce que les soldats anglais portaient des armes ou de l'équipement? R. Non, ils ne portaient rien du tout.
- Q Quelles armes portaient les soldats allemands? R. Ils avaient leurs revolvers et des mitraillettes.
- Q Dans quelle direction sont-ils allés? R. Vers le nord dans la direction du parc. Ils marchèrent le long de la route qui conduit au parc et quand ils arrivèrent à la fourche du chemin les soldats anglais voulurent tourner à gauche mais les soldats allemands les arrêterent et les frappèrent et les firent continuer sur la route qui mène dans le bois.
- Q Jusqu'à quelle distance les avez-vous vus aller le long de cette route; les avez-vous vus jusqu'au moment où ils entrèrent dans le bois? R. Je les ai suivis jusqu'à la fourche du chemin et là je me suis arrêtée. Là ils disparurent de ma vue.
- Q Où êtes-vous allée ensuite? R. Je suis revenu à la maison.
- Q Savez-vous ce qui est arrivé à ces soldats anglais? R. Oui. J'ai entendu des coups de feu lorsque je rentrais à la maison et immédiatement j'ai vu l'escorte revenir du bois.
- Q Où étiez-vous quand vous avez entendu les coups de feu? R. Je ne m'en rappelle pas au juste, mais je suivais le sentier derrière le château.
- Q Combien de coups avez-vous entendu? R. Trois coups.
- Q Est-ce que les coups de feu étaient séparés ou ensemble? R. Séparé, mais l'un après l'autre.
- Q Savez-vous si ceux-là étaient des soldats anglais ou canadiens? R. Je me rappelle qu'ils avaient quelque chose de bleu sur leurs manches. Je n'étais pas certaine si c'était des anglais ou des canadiens et les allemands les appelaient par le nom "Tommy".
- Q Avez-vous jamais appris si c'était des canadiens? R. Non, je n'ai pas appris que c'était des canadiens.
- Q Quand le sous-officier et les soldats allemands sont revenus; est-ce qu'ils se sont rendus au sycamore? R. Oui.

EXHIBIT No. 12 (FRENCH).

- Q Les avez-vous vus revenir ? R. Je les ai vus revenir du bois et ils sont passés en face de moi, et ils ont retourné au poste de commandement.
- Q Avez-vous remarqué aucune chose d'extra-ordinaire dans leur manière lorsqu'ils sont passés près de vous en retournant au poste de commandement ? R. Je ne me rappelle de rien.
- Q A ce temps là qu'avez-vous pensé de ce qu'ils leurs étaient arrivés aux soldats anglais ? R. J'étais certaine qu'ils avaient été fusillés.
- Q Est-ce qu'il y a eu des soldats allemands qui sont venus au chateau plus tard dans la journée ? R. Oui.
- Q Avez-vous entendu aucun de ces soldats allemands mentionner n'importe quoi au sujet des trois soldats ? R. Il y a eu une conversation qu j'ai tenu avec les soldats allemands concernant des cigarettes, mais je ne crois pas que ceci s'applique à ces trois là.
- Q Avez-vous vu aucun officier allemand au moment ou ces soldats anglais furent amenés ? R. J'ai vu le colonel venir du poste de commandement et le capitaine passa devant nous et nous lui avons causé.
- Q Tous les deux passèrent devant vous ? R. Le colonel quitta le sycamore et entra dans les bois dans la direction d'ou étaient venus les prisonniers et le capitaine passa devant la maison et nous parla.
- Q Q'est-ce qu'il vous a dit ? R. Il nous a dit quoi faire quand le bombardement commencerait; et il nous a rien dit à propos des soldats qui venaient d'être amenées dans le bois.
- Q Apres qu'il fut passe ou est-il allé ? R. Je n'en sais rien.
- Q Est-ce que vous l'avez vu où entendu donner des ordres ou des instructions quelconques à l'escorte qui conduisait les prisonniers anglais ? R. Non.
- Q Dois-je comprendre que vous avez dit que quand les prisonniers marchèrent le long de la route, il y avait un officier près de la petite fourche du chemin ? R. Non.
- Q Est-ce qu'il y a eu bataille entre les soldats anglais et allemands ici tout près du chateau ce jour là ? R. Le bombardement commença vers six heure et demie du soir et finit à environ dix heure moins vingt du soir.
- Q Est-ce qu'il y a eu de l'infanterie qui se battait ici tout près du chateau ? R. Il y avait beaucoup de mitrailleuses qui tiraient durant la soirée après la bombardement. Les mitrailleuses commencèrent dans la dernière demie heure du bombardement. Je ne crois pas qu'il y a eu aucune bataille dans le voisinage du chateau avant le bombardement.
- Q Les prisonniers anglais portaient-ils leurs casques et avaient-ils des chaussures ? R. Ils avaient des chaussures mais n'avaient rien sur la tête.

EXHIBIT No. 12 (FRENCH).

- Q Pourquoi êtes-vous allés là ce jour là ? R. Parce que l'officier anglais m'avait demandé de lui montrer les cadavres.
- Q Etes-vous allé là pour les montrer à cet officier anglais ? R. Oui.
- Q Est-ce qu'il y a eu un soldat allemand qui est venu dans la cuisine dans l'après-midi du 8 juin, vers cinq heure ? R. Oui.
- Q Que vous a t'il dit ? R. Il prit une boîte ronde de cigarettes de sa poche et il dit: "Bonne cigarettes anglaises. "Je les ai enlevé aux prisonniers et nous les avons kif-kif" (indiquant un geste de coupe-cou). Ensuite il dit: "Non pas comme cela; c'était avec mon revolver" en même temps il sortit son revolver et le replaça en disant: "C'est moi qui les a tués".
- Q Savez-vous de quels soldats il voulait parler; voulait-il dire les treize soldats où seulement que les trois ? R. Je ne sais pas de quels soldats il parlait, mais je reconnaitrais ce même soldat allemand.
- Q Etait-il l'ordonnance du colonel ? R. Non.
- Q Etait-ce le même qui fut blessé plus tard ? R. Non.
- Q Est-il venu aucun soldats allemands blessés au chateau en ce jour du 8 juin ? R. Oui, vers dix heure du soir, où plus tard, il commençait à faire noir et nous avons ramassé un soldat allemand, à peu près cinq mètres en dehors du portail.
- Q Ou était-il blessé ? R. Son bras était fracturé à cinq endroits et il avait une balle qui lui était entrée à la hanche et lui a sortie près du genoux.
- Q L'avez-vous amené au chateau ? R. Oui, nous l'avons transporté au chateau sur une porte.
- Q Vous a t'il parlé du temps qu'il était au chateau ? R. Oui, il a parlé tout le temps qu'il fut là.
- Q Comprenez-vous l'allemand ? R. Je viens à bout de me faire comprendre en allemand.
- Q Qu'est-ce que ce soldat vous a dit ? R. Il me parla du sort que les anglais donnaient aux prisonniers allemands et me pria de le sortir dehors car s'il était trouvé dans le chateau par les anglais nous serions fusillés. Il me raconta qu'un colonel avait été capturé par les anglais et tout en marchant vers les lignes anglaises il fut tiré trois fois dans l'estomac. Il continua à me dire que ce colonel fut repris par les allemands et qu'il croyait qu'il était maintenant dans un hôpital allemand.
- Q A quelle unité ce soldat appartenait-il ? R. D'après ses documents je crois me rappeler qu'il appartenait à la douzième division S.S. d'Adolf Hitler.
- Q Avait-il l'insigne d'Adolf Hitler sur sa manche ? R. Oui.
- Q Vous a t'il demandé d'enlever aucune de ses insignes ? R. Il nous a demandé de brûler ses papiers et d'enlever toutes ses insignes.

EXHIBIT No. 12 (FRENCH).

Q Les avez-vous enlevées ? R. Je les ai enlevées et je les ai remis à des soldats anglais plus tard.

BRIGADIER TARLETON: Est-ce que vous vous rappelez du nom de ce prisonnier ? R. Je me rappelle que son nom était Ernst Ublender, ou un nom semblable à cela.

Q Est-ce que ce soldat était un de ceux que vous aviez vu auparavant ? R. Ce soldat était venu prendre son déjeuner à la cuisine du château. Je ne me rappelle pas de l'avoir vu faisant parti de l'escorte des prisonniers anglais qui ont été fusillés.

Q Que veut dire l'expression "Kif-Kif" ? R. C'est une expression qui veut dire tuer quelqu'un.

LT. COL BLACKHURST: Avez-vous vu partir du terrain du château l'unité allemande dans la soirée du 8 juin ? R. Le capitaine est venu à nous et il nous a demandé s'il y avait des blessés et ensuite il nous dit: "La bataille est finie et nous partons". On entendait des coups de feu autour du château et j'ai vu le capitaine partir de la maison et ensuite j'ai entendu les troupes s'éloigner dans leurs voitures.

Q Savez-vous s'il y avait des soldats anglais avec eux quand ils sont partis ou immédiatement avant de partir ?

R Il y en n'avait pas.

LE PRESIDENT: Avant le départ des allemands, est-ce qu'il y a eu des obus qui sont tombés dans le parc ou se trouvaient les voitures ? R. Oui, des obus tombèrent dans le parc parmi leurs voitures et leurs entrepot de munitions explosa.

Q Savez-vous s'il y a eu de leurs voitures de détruite ?

R Oui, quelques unes mais pas tous.

Q Avez-vous vu les voitures détruites qui sont à présent dans le parc ? R. Oui, je les ai vu avant qu'elles soient détruites et depuis. Dans la soirée ils se sont mis à l'abri à cause du bombardement et des coups de mitrailleuse, mais j'ai vu les voitures dans le parc et à l'arrière du château.

BRIGADIER MACKLIN: Les voitures qui sont brisées et détruites dans le parc sont-elles les mêmes qui appartenaient à l'unité qui était ici le 8 juin ? R. Oui, se sont les mêmes.

LE PRESIDENT: Pouvez-vous nous dire à qui vous avez remis les papiers qui appartenaient au blessé allemand ? R. J'en ai donné au médecin anglais qui est venu chercher le blessé le 9 juin. J'en ai donné à un officier de l'intelligence des Green Howards. J'en ai donné au capitaine Attlee, Quartiers-Generaux, 15ème division écossaise.

(La Court se rendit à l'arrière du château)

Q Pourriez-vous nous indiquer au juste où vous étiez quand les soldats anglais ont passé ? R. Quand je les ai vus pour la première fois venant du bois, j'étais à la fenêtre du premier étage sur le coin nord est de la maison.

Q Ensuite quand ils ont passé où étiez-vous ? R. J'étais ici (indiquant la deuxième fenêtre qui se trouve au nord de la grande porte de l'arrière) parlant à Annie et Beatrice.

EXHIBIT No. 13.

- Q Do you know how these soldiers arrived, that is the direction from which they came, and whether they came on foot or in motors?
A. I was standing outside the window of my house and I saw these prisoners under escort going from South to North along a pathway at the back of the Chateau and they were on foot.
- Q Do you know how they arrived at the Command Post? A. No, I do not know.
- Q Will you indicate on the map just where they were when you first saw them? A. I saw them on the pathway on the far side of the tennis court.
- Q Where did they go then? A. They followed the pathway along in the rear of the house, passed my house, and they continued on the path toward the wood. As they approached the road fork they turned left and came over to an officer who was standing between the forks of the road and North-East of my cottage.
- Q Did they march or walk toward this officer? A. They walked to within fifteen metres of where the German officer was standing.
- Q What did the German officer do then? A. At this moment the German officer made a gesture with his arm, pointing down the path towards the woods. After the officer had made this gesture, he came over to where I was standing and he told me to go into the house and close the windows. I ran around into my house and through the window I saw a German soldier strike one of the British prisoners in the back with his fist.
- Q Where did they go from that point onward? A. I saw them going along the pathway in the direction of the park and I last sighted them just after they entered the park, or woods.
- Q What did the German officer do after he told you to go inside? A. He left in the direction of the sycamore tree, that is the Command Post, back along the road in the rear of the Chateau.
- Q Did you see Mlle. Level there, in the rear of the Chateau, while this was going on? A. I do not know; I cannot remember seeing her.
- Q Did you notice the grade of any of the people who were escorting these prisoners? A. I could not recognise their rank as they were dressed in camouflaged clothing.
- Q Do you know what happened to these British soldiers? A. I do not know what happened to them, but I felt sure the Germans were going to shoot them.
- Q Did you hear any shots? A. I heard several shots coming from the direction of the park where the soldiers had gone with their escort.
- Q How soon after you last saw them did you hear these shots? A. Not more than fifteen minutes.
- Q Did you see these German soldiers return? A. No, I did not.
- Q Did you recognise the rank of any of the British prisoners? A. At this moment I could not tell whether they were British or Canadians.
- Q Did you notice any badges or patches of any particular colour on these soldiers? A. They certainly had some, but I could not distinguish them from where I was.
- Q Could you say about what time it was when this happened? A. I was very upset and I think it was somewhere between two and three o'clock on the afternoon of the 8th June.

EXHIBIT No. 13.

- Q How were these prisoners dressed, with particular reference to their equipment and their helmets? A. They were dressed in battledress and were without hats. They were wearing boots that came halfway to their knees and they had no equipment on them. They were bareheaded.
- Q Did you see any other British soldiers alive or dead around the Chateau in addition to the three previously referred to? A. Yes.
- Q Give us the time, place and the circumstances? A. It was between 4.15 and 4.30. My son at this time told me that he had seen something horrible and pointed to the direction of the henhouse. I wished to reassure myself of what my son had spoken about and I took some feed out to the chicken house. When I got to the chicken house I saw the bodies of several soldiers in British battledress lying on the ground in a row, starting at the grille around the chicken house, along the hedge towards the East.
- Q How far were you away from the bodies? A. About four or five metres from the bodies.
- Q What was the condition of these soldiers? A. They were dead and there was fresh blood flowing from the wounds in their heads.
- Q How long did you think these men had been dead? A. I cannot tell you just how long, but no more than one hour.
- Q Between the time that you heard the shots in the woods where the three soldiers were and this incident, when you saw the bodies, did you hear any other shots fired? A. Yes, I heard many shots.
- Q How soon after you heard those shots did you go to the henhouse? A. About one hour or perhaps less. I cannot tell you exactly the time that elapsed because I was very nervous. I was afraid that the Germans would take some revenge.
- Q Were there any German soldiers at the spot where these bodies were or in the near vicinity? A. There were two German soldiers who were searching the dead British soldiers.
- Q Did the Germans have any weapons in their hands, or nearby? A. I did not notice, but when I saw them they were searching the bodies. I hurried as I was afraid that they would do the same thing to me.
- Q Did you see any other German soldiers near this place? A. I only saw one of them there and there was a German vehicle nearby.
- Q Did you see any British helmets or weapons or equipment lying around this place? A. No, I did not see any at all.
- Q Did you speak to these German soldiers? A. I got away as soon as I could.
- Q Had you ever seen these two German soldiers before or afterwards? A. I only saw them this time.
- Q Did you see any pigs around at this time? A. I did not see the pigs; the pigs had been locked up previously by Raymond.
- Q What did you think had happened to these British soldiers? A. I thought that they had been shot.

DEPOSE DU TEMOIGNAGE

DE

M. RENE GILBERT LANOUE.

LE PRESIDENT: Quel est votre nom ? R. René Gilbert Lanoue.

Q Ou demeurez-vous ? R. Dans la maison du jardinier du château d'Audrieu.

Q Etiez-vous au château d'Audrieu en date du 8 juin, 1944, employé comme jardinier de Mme Level ? R. Oui.

Q Est-ce que vous vous souvenez d'avoir vu des troupes allemandes arriver au château en cette date ? R. Oui, le matin vers 11 heure, mais plutôt dans la matinée du 8 juin il y a eu des troupes allemandes qui sont passées à travers du jardin.

Q Au meilleur de votre connaissance donnez-nous une description de ces troupes; donnant le nombre d'officiers, de soldats et le nom de l'unité, si c'est possible ?

R On m'a dit que c'était des Panzers, mais je ne crois pas pouvoir les identifier moi-même.

Q A peu près combien d'officiers ou de soldats étaient-ils ?

R J'ai vu 7 à 8 soldats près du mur qui est du côté nord du château et une dizaine d'autres en arrière du château; il y en avait d'autres dans le parc. J'ai vu deux officiers, l'un que je reconnaîtrais, il était habillé en noir.

Q Savez-vous quel était son grade ? R. Non, je ne le sais pas.

Q Avez-vous remarqué quoique ce soit de spéciale à propos de l'autre officier ? R. Je ne peux pas dire quel était son grade, mais il était gros et il est venu dans ma cour. Je ne peux pas dire son grade parce qu'il portait des habits camouflés semblable à ce qu'on appelle en France du matériel tenté. Je crois que l'officier en noir avait un grade plus haut que celui dont je vous ai parlé.

Q Reconnaissez-vous ces officiers si vous les revoyiez de nouveau ? R. Je les reconnaîtrais tous les deux.

Q Etes-vous certain que vous pourriez reconnaître celui qui était gros ? R. Je reconnaîtrais le gros.

Q Qu'on fait ces troupes allemandes quand elles sont arrivées ?

R En arrivant ils ont établi un poste de commandement et ils ont installé une ligne de téléphone sous le sycamore.

Q Avez-vous vu arriver des soldats anglais ? R. Oui. J'ai vu trois soldats britanniques qui étaient prisonniers, venant de la direction du poste de commandement.

Q Comment saviez-vous qu'ils étaient des prisonniers ?

R Ils étaient nu-tête et ils avaient une escorte allemande avec des fusils.

Q Quel sorte de fusils ou d'armes portaient-ils ? R. C'était des fusils.

Q Etait-ce un fusil comme celui-ci (indiquant un fusil de service allemand) ou c'était-il des mitraillettes ?

R Il y avait trois soldats allemands armés qui escortaient les soldats anglais. Je ne puis pas vous dire exactement quelles armes ils portaient.

EXHIBIT No. 13. (FRENCH).

- Q Savez-vous comment ces soldats sont arrivés, c'est-à-dire, de quelle direction sont-ils venus, était-ce à pied ou en voitures ? R. Je me tenais debout en dehors de ma fenêtre et là j'ai vu ces prisonniers qui étaient sous escorte, allant du sud au nord le long du sentier qui est en arrière du château, et ils étaient à pied.
- Q Savez-vous de quelle manière ils sont arrivés au poste de commandement ? R. Non, je ne le sais pas.
- Q Voulez-vous indiquer sur cette carte l'endroit juste où vous les avez vus pour la première fois ? R. Je les ai vus sur le sentier qui se trouve de l'autre côté du terrain.
- Q Ensuite où sont-ils allés ? R. Ils ont suivi l'allée, en arrière de la maison; ils ont passé ma maison, et ils ont continué dans l'allée qui mène au bois. Comme ils approchaient de la fourche de chemins, ils tournèrent à gauche vers un officier qui se trouvait là, debout entre la fourche de chemins et du côté nord-est de ma maison.
- Q Est-ce qu'ils marchèrent ou allèrent-ils vers cet officier ? R Ils marchèrent jusqu'à peu près une quinzaine de mètres d'où l'officier se tenait debout.
- Q Qu'a fait cet officier alors ? R. A ce moment là l'officier allemand a fait un geste avec sa main, montrant la route qui mène au bois. Après que l'officier fit ce geste, il vint vers moi et il me dit de rentrer dans la maison et de fermer mes fenêtres. J'ai fait le tour de la maison en courant et je suis rentré, et de là, par ma fenêtre, j'ai vu un soldat allemand frappé avec son poing dans le dos de l'un des prisonniers britanniques.
- Q De cet endroit où sont-ils allés ? R. De là je les ai vus continuer le long de la route dans la direction du parc et je les ai aperçus pour la dernière fois juste comme ils entraient dans le bois où le parc.
- Q Qu'a fait cet officier allemand après qu'il vous a dit de rentrer dans la maison ? R. Il se dirigea dans la direction du sycamore, c'est-à-dire le poste de commandement, par la route qui est à l'arrière du château.
- Q Avez-vous vu Mlle Level là, en arrière du château, quand ceci se passait ? R. Je ne sais pas, je ne me rappelle pas de l'avoir vue.
- Q Avez-vous remarqué le grade d'aucun des soldats qui escortaient les prisonniers ? R. Je n'ai pas pu distinguer leurs grades car ils portaient des habits camouflés.
- Q Savez-vous ce qui est arrivé à ces soldats anglais ? R. Je ne sais pas, mais j'avais le pressentiment que les allemands allaient les fusiller.
- Q Avez-vous entendu des coups de feu ? R. Oui, j'en ai entendu plusieurs venant de la direction du parc d'où les soldats anglais venait de disparaître avec leur escorte.
- Q Combien de temps s'écoula entre le temps que vous les avez vus pour la dernière fois et les coups de feu que vous avez entendus ? R. Pas plus que 15 minutes.
- Q Avez-vous vu ces soldats allemands revenir ? R. Non, je ne les ai pas vus.

- Q A part de ce que l'officier allemand vous a dit plutôt dans l'après-midi, avez-vous eu d'autre conversation avec aucun des officiers ou soldats allemands durant cette soirée ? R. Oui. Un officier allemand est venu me demander des habits civils mais je ne le lui en ai pas donné.
- Q Comment était habillé cet officier ? R. C'était le même officier qui m'ordonna d'entrer dans la maison et il était habillé en noir.
- Q Avez-vous remarqué aucune chose dans les mains des soldats anglais mort ? R. Je suis certain qu'un des soldats morts avait une photographie dans sa main.
- Q Avez-vous vu les allemands mettent leurs voitures dans le bois près du sycamore, ou dans cette région en générale ? R Non, je n'ai pas vu de voitures arriver dans le parc, mais plus tard je les ai vues ou elles sont à présent.
- Q Croyez-vous que ce sont les mêmes voitures qui sont arrivées la première journée ? R. Ce sont les mêmes.
- Q Etes-vous certain de cela ? R. Oui, j'en suis convaincu.
- Q Etes-vous certain ? R. Oui, ce sont exactement les mêmes voitures.
- Q Avez-vous remarqué n'importe quoi sur les uniformes des soldats anglais qui pourrait indiquer à quelle unité ils appartenaient ? R. Non. Je n'ai pas regardé. J'ai seulement compté combien il y en avait et je me suis senti très ému. Je ne savais pas qu'ils étaient des canadiens.

(Le témoin se retire)

(Signed) RENE LANOUE.

RECORD OF THE EVIDENCE

of

M. RAYMOND MARCEL LANOUE.

M. RAYMOND MARCEL LANOUE is called and, having been duly sworn, is examined as follows:-

THE PRESIDENT: Is your name Raymond Marcel Lanoue? A. Yes.

Q Where do you live? A. I live at the Chateau d'Audrieu, Audrieu, Calvados, France.

Q On the 8th June, 1944, were you employed as a gardener at the Chateau d'Audrieu and were you living there? A. Yes.

Q On that date did a German unit occupy the grounds of the Chateau? A. About 11 o'clock in the morning on the 8th June, 1944, German troops of an Adolf Hitler unit arrived in the grounds of the Chateau.

Q Tell the Court what you know about this German unit. A. They had vehicles and armoured cars, and about 11 o'clock I saw three tanks amongst them. The tanks left almost immediately and I did not see them later.

Q Can you tell us the number of German troops that were in the grounds of the Chateau; how many officers and men, approximately? A. I think there were approximately fifty officers and men in the Chateau grounds.

Q How many officers were there? A. I saw only one officer and he was giving orders to members of the unit.

Q What was that officer's rank? A. I did not see this officer's rank.

Q How was he dressed? A. He was dressed in black and he was wearing a stiff vizor cap.

Q Did this officer wear any decorations? A. No, I did not notice any decorations.

Q Did you notice any distinguishing badges or decorations on the officer's sleeve or collar? A. I did not notice any.

Q Do you know the name of the unit? A. I do not know which unit they belonged to, but they had a small yellow triangular flag with a skull and crossbones on it.

Q Where was this little flag carried? A. These flags were flown on the fenders of the vehicles.

Q Did you get any information on that date as to the name of this unit? A. We had been told in the past during the occupation that vehicles with the skull and crossbones were Adolf Hitler's troops and when we saw this we knew they were S.S. troops. We were told this by the German occupation troops who were at the Chateau in April of this year as they had placed a flag with the skull and crossbones on it in the part of the Chateau they occupied, and they told us that this was the emblem of S.S. troops.

Q To what unit did those troops who were here in April belong? A. They were part of a cavalry unit and had a number of horses with them. There was also a signal section with them, I think, as they had telephones.

EXHIBIT No. 14.

- Q Were the German soldiers marching in the rear or in the front of the British soldiers ? A. There was one German soldier marching in front of the British soldiers, one marching at the left side of them and one behind.
- Q Where did they go ? A. They walked along the pathway in the direction of the park.
- Q Were you still at the window of the gardener's cottage ?
A Yes, I was still in the window of the gardener's cottage.
- Q Did they march straight along the path or did they make any turns as they marched along ? A. They walked straight along the pathway until they arrived in the vicinity of this road fork (indicating on sketch map road fork North-East of the gardener's cottage). Near that point there was a German officer or N.C.O. standing. As the party approached him the leading German soldier started turning to his left towards the German officer or N.C.O., and then this German officer or N.C.O. gave them an order indicating with his hand in the direction of the park. Then the leading German soldier kicked one of the prisoners with his foot. He may have struck him also but I only saw him kick him. They turned down the pathway towards the woods and continued to march along into the woods, and just then a German officer who was dressed in black came to the window of our house and told my father to go into the house and close the window.
- Q Did the German officer speak to you in German or in French ?
A He spoke to us in French and said: "Go away from here and close the window".
- Q I call your attention to this sketch map of the Chateau and grounds and ask you to indicate the point where you think the German officer or N.C.O. was standing who gave the orders to the escort ? A. He was standing here (indicating Point "Z" on the sketch map) about 5 or 6 metres from the escort.
- Q Where were the escort and prisoners when you last saw them ?
A I saw them for the last time at about this point, and then I lost sight of them. I last saw them as they were going down the pathway approaching the entrance to the woods.
- Q Do you know what happened to these British soldiers ? A. After I last saw them I went into the drying room on the North side of the gardener's house and made an attempt to see where the British prisoners had been taken. There was a lapse of probably three to five minutes and I heard three or more shots fired from the direction of the park where the British prisoners had been taken.
- Q What conclusion did you draw from these events ? A. I concluded that these British prisoners had been shot by the Germans.
- Q Where did the German officer or N.C.O. go after he gave this direction to the escort ? A. I lost sight of him, but after he gave the order to the escort he came along the pathway back in the direction of the Chateau.
- Q Where did the officer in black go after he ordered you to close the window ? A. He went along at the rear of the Chateau in the direction of the Command Post which was under the sycamore tree.
- Q Did you see the German escort returning from the woods ?
A No; I closed the door of the drying room and then went into the kitchen of the Chateau.

EXHIBIT No. 14.

- Q How did these British prisoners have their hands ? A. Their hands were behind their backs, but they were not tied.
- Q Did you hear any other rifle shots in the vicinity of the Chateau that afternoon ? A. No.
- Q Did you see any other British soldiers alive or dead in the vicinity of the Chateau that same afternoon ? A. Yes, I saw some dead British soldiers at the rear of the Chateau near the henhouse.
- Q How did you happen to see these dead British soldiers ? A. My father went out to collect the goats that were wandering around the Chateau grounds and when he had locked them up he found that our two pigs were missing. He came and told me and I went out looking for the pigs. I finally located them near the henhouse. When I got near the henhouse I saw the two pigs climbing over the bodies of the dead British soldiers. There were two German soldiers near the bodies of these British soldiers and one of them had a revolver in his hand. I called out to the German soldier: "Schwein de retour", and the German soldier made a sign to me to come and get my pigs. I did not want to go near these dead bodies, and I again repeated my request to the German soldier to send my pigs to me. He said: "Come here; come here; Tommies caput". He made a gesture with his revolver indicating to me by pointing his revolver a number of times along the hedge that they had been shot, at the same time saying: "Tommy, tat-tat-tat-tat".
- Q How did you get your pigs back ? A. The German soldiers, two or three of them, sent my pigs back to me and when the pigs got near me I saw that they had blood on their snouts. I then put the pigs back into the pig-pen.
- Q Did you see any British arms or equipment lying about this place ?
A No, I did not see any of their equipment or arms near their bodies.
- Q Tell the Court the nature of the wounds on these British soldiers.
A There were several, but I saw one in particular who was nearest to me and he had a wound in the head. There was blood down the side of his face.
- Q Can you describe the nature of the wounds on any of the other soldiers ? A. I did not notice the nature of the wounds on the other soldiers.
- Q About what time was it when you first saw these bodies ? A. It was between 4.45 and 5 p.m. on the 8th June, 1944.
- Q I call your attention to this map and ask you to show me on it where you found these bodies. A. The bodies were here.
(Witness indicates Point "K" on the map)
- Q Were they near the hedge ? A. Yes, they were near the hedge.
- Q With relation to the hedge, how were the bodies lying ? A. They were lying on their backs. I could not notice their positions very well, but they were all lying on the ground near the hedge in a broken row with their heads towards the hedge and their feet away from it.
- Q What were these two or three German soldiers doing when you arrived near the bodies ? A. I only saw the German soldiers standing near the bodies of the British soldiers.
- Q Were there any other German soldiers nearby ? A. There were other soldiers further away, but I only saw two or three near the bodies.

DEPOSE DU TEMOIGNAGE

DE

RAYMOND MARCEL LANOUE.

LE PRESIDENT: Est-ce que votre nom est Raymond Marcel Lanoue?
R. Oui.

Q Ou demeurez-vous? R. Je demeure au chateau d'Audrieu, Audrieu, Calvados, France.

Q Endate du 8 juin, 1944, étiez-vous employé comme jardinier au chateau d'Audrieu et demeuriez-vous là? R. Oui.

Q En cette date est-ce qu'une unité allemande a occupé le terrain du chateau? R. Vers les onze heures du matin le 8 juin, 1944, des troupes allemandes d'une unité d'Adolf Hitler sont arrivées sur le terrain du chateau.

Q Dites à la court ce que vous savez de cette unité allemande? R. Ils avaient des voitures et des chars blindés, et vers onze heures j'ai vu trois chars d'assauts parmi eux. Les chars d'assauts sont repartis presque immédiatement et je ne les ai plus revus.

Q Pourriez-vous nous dire le nombre des troupes allemandes qui occupaient le terrain du chateau; combien d'officiers et de soldats, à peu près? R. Je pense qu'il y avait à peu près 50 officiers et soldats sur le terrain du chateau.

Q Combien d'officiers y avait-il? R. Je n'ai vu qu'un officier et il donnait des ordres aux soldats.

Q Quel était le grade de cet officier? R. Je n'ai pas vu son grade.

Q Comment était-il habillé? R. Il était habillé en noir et portait une casquette avec un visoir dur.

Q Est-ce que cet officier portait des décorations? R. Non, je n'ai pas remarqué aucune décoration.

Q Avez-vous remarqué aucune insigne ou décoration sur les manches ou sur le collet de cet officier? R. He n'en ai pas remarqué.

Q Savez-vous le nom de cette unité? R. Je ne sais pas à quelle unité ils appartenaient, mais ils avaient un petit drapeau jaune formant un triangle sur lequel était imprimé la tête de mort et des os croisés.

Q Ou portaient-ils ce petit drapeau? R. Ces drapeaux étaient sur le garde-boue des voitures.

Q Avez-vous eu aucun renseignement à propos du nom de cette unité en cette date? R. L'on nous avait dit dans le passé durant l'occupation, que voitures portant la tête de mort et les os croisés étaient des troupes d'Adolf Hitler, et alors quand nous nous les avons vus, nous savions que c'était des S.S. Ceci nous fut dit par des troupes allemandes qui occupaient le chateau en avril de cette année. Ils avaient placé un drapeau avec la tête de mort et les os croisés dans la partie du chateau qu'ils occupaient, et ils nous ont dit que ceci était l'emblème des S.S.

Q A quelle unité appartenaient ces troupes allemandes qui occupaient le chateau en Avril dernier? R. Ils faisaient parti d'une unité de la cavallerie et avaient un nombre

de chevaux avec eux. Je crois qu'ils avaient une section de signalleurs parce qu'ils avaient des téléphones.

BRIGADIER TARLETON: Quelle était la grosseur des chars d'assauts que vous avez vus en ce matin du 8 juin?

R. He n'ai pas vu beaucoup de chars d'assauts allemands mais je crois qu'ils étaient d'une grosseur moyenne.

LE PRESIDENT: Si vous revoyiez l'officier qui était habillé en noir, est-ce que vous le reconnaitriez avec certitude?

R. Si je le revoyais encore je reconnaitrais certainement sa figure.

Q Reconnaitriez-vous aucun des sous-officiers ou soldats allemands que vous avez vu ici le 8 juin? R. Non. Ils portaient tous des habits camouflés et je ne peux pas dire quel était leurs grades.

Q Il y avait-il une section de signalleurs avec ces troupes allemandes qui sont arrivés ici le 8 juin? R. Non je n'ai pas vu une section de signalleurs, tout ce que j'ai vu c'est que des soldats allemands installaient des lignes de téléphone.

Q Avez-vous vus des soldats en uniforme britannique au chateau en date du 8 juin? R. Oui.

Q Vers quelle heure? R. Je n'ai pas remarqué l'heure, mais c'était de bonne heure dans l'après-midi.

Q Combien y avait-il de ces soldats? R. J'ai vu premièrement, trois soldats en tenue britannique.

Q Ou les avez-vous vus pour la première fois? R. Derrière le chateau en face d'une fenêtre de la maison du jardinier ou je demeure.

Q Comment étaient habillés ces trois soldats? Avaient-ils des casques, des chaussures ou des équipements sur eux? R. Ils avaient des chaussures, culottes et gilets semblable à ceux que portent ceux-là (indiquant l'habit que portait les stenos).

Q Avaient-ils des casques? R. Ils étaient tous nu-tête.

Q Portaient-ils des armes ou des équipements quelconques? R. Ils n'avaient pas d'équipements ni d'armes.

Q Qui accompagnait ces trois soldats anglais? R. Trois soldats allemands ayant des habits camouflés.

Q Avez-vous remarqué leurs grades? R. Non.

Q Y en avait-il un qui semblait commander? R. Non je ne le crois pas.

Q Que faisaient ces trois soldats allemands et les trois soldats anglais quand vous les avez vus? R. Ils marchaient dans l'allée qui mène au parc.

Q Est-ce que les soldats allemands avaient des armes? R. Chacun avait un fusil.

Q Pourriez-vous nous dire quel sorte de fusil; c'est-à-dire est-ce que c'était des fusils ordinaires ou semblable à des mitrailleuses? R. C'était des fusils ordinaires qui étaient suspendus à leur épaule comme ceux-là (montrant un fusil allemand).

- Q Pourriez-vous nous décrire la nature des blessures d'aucun autre soldat anglais? R. Je n'ai pas remarqué quelles sortes de blessures qu'avaient les autres soldats.
- Q Environ à quelle heure avez-vous premièrement vu ces cadavres? R. C'était à peu près entre 4.45 et 5 heure en date du 8 juin 1944.
- Q Je tire votre attention sur cette carte et je vous demande de me montrer l'endroit où vous avez trouvé ces cadavres? R. Ils étaient là (le témoin indique l'endroit "K" sur la carte).
- Q Étaient-ils près du buisson? R. Oui, ils étaient près du buisson.
- Q En relation au buisson, comment gisait les cadavres? R. Ils étaient étendu sur le dos. Je ne pouvais pas remarqué leurs positions très bien, mais ils étaient tous étendu par terre par ci par là, ayant leurs têtes près du buisson et leurs pieds éloignés du buisson.
- Q Que faisaient ces deux ou trois soldats allemands quand vous êtes arrivé près des cadavres? R. J'ai vu seulement les soldats allemands debout près des cadavres des soldats anglais.
- Q Y avait-il d'autres soldats allemands tout près? R. Il y avait d'autres soldats allemands un peu plus loin mais je n'ai vu que ces deux ou trois soldats allemands près des cadavres.
- Q Avez-vous remarqué si les chaussures ou souliers avaient été enlevés des cadavres de ces soldats? R. Non, je n'ai pas remarqué cela.
- Q À peu près combien de soldats anglais mort y avait-il à ce temps là? R. Il y en avait au moins une dizaine.
- BRIGADIER TARLETON: Pourriez-vous identifier aucun de ces soldats allemands? R. Non, je ne peux pas les identifier.
- Q Avez-vous remarqué si ces soldats anglais mort tenaient quelque chose dans leurs mains? R. Non, je n'ai rien remarqué.
- LE PRESIDENT: Est-ce que ces deux ou trois allemands portaient le même genre d'habit que ceux qui étaient aux alentours du château à ce temps là? R. Ils étaient habillés de la même manière et appartenaient à la même formation qui était sur le terrain du château à ce moment là.
- Q Avez-vous revu ces deux mêmes soldats? R. Non, je ne les ai pas revus.
- Q Ou êtes-vous allé après que vous avez laissé cet endroit? R. Je suis revenu dans la cuisine du château.
- Q Avez-vous raconté à d'autres ce que vous veniez de voir? R. Je l'ai raconté à Mlles Beatrice Delafon, Monique et Antoinette Level.
- Q En avez-vous parlé à votre père? R. Je n'ai pas dit à mon père ce que je venais de voir, mais je lui ai dit que je venais de voir une chose horrible. Avant de voir mon père, les demoiselles m'ont dit de ne rien raconter à personne ce que je venais de voir.

EXHIBIT No. 14 (FRENCH).

- Q Est-ce que plus tard vous avez vu des soldats allemands dans la cuisine? R. Je suis resté dans la cuisine environ 20 minutes et je n'ai pas vu aucun soldats allemands durant ce temps là.
- Q En avez-vous vu plus tard dans la journée? R. Non.
- Q Y a t'il eu bataille entre soldats anglais et allemands autour du chateau ce jour là? R. Il n'y avait pas eu aucune bataille autour du chateau jusqu'a ce temps là; toutefois, le bombardement commença vers les 6 heure du soir et à ma connaissance tout ce qui est arrivé c'est l'explosion d'un entrepot de munition et que les voitures des allemands à l'arrière du chateau étaient en feu durant le bombardement. Je ne crois pas que les soldats anglais et allemands se soient battus dans le voisinage du chateau.
- Q Est-ce que les voitures détruites, qui sont à présent sur le terrain du chateau sont les voitures de l'unité qui est venu s'installer sur le terrain du chateau en date du 8 juin vers midi? R. Se sont les mêmes voitures.
- Q Avez-vous vu des soldats allemands dans le chateau dans l'après-midi du 8 juin avant d'avoir trouvé les cadavres pres du poulailler? R. Oui. Il y en a eu plusieurs qui sont venus dans la cuisine du chateau pour obtenir des oeufs et chauffer de la nourriture.
- Q Avez-vous eu aucune conversation avec ces soldats dans la cuisine? R. Un soldat allemand se tenait debout dans la cuisine du chateau et il avait un verre de cidre pres de lui. Il avait une cigarette dans sa main et l'a mise dans sa bouche. Il prit une puffed, la sortie de sa bouche; la regardant il dit "Tommy cigarette Gut". Il dit ensuite "Tommy kaput", faisant avec son autre main un geste de coupe-cou.
- Q Est-ce que ceci était avant ou après que les trois soldats furent amenés dans le parc? R. Après avoir entendu les coups de feu je suis allé à la cuisine. Pendant que j'étais dans la cuisine ces soldats allemands vinrent. C'était environ 15 minutes après que les soldats allemands avaient amenés les soldats anglais dans le bois.
- Q Ces soldats dont vous venez de parler, était-ce l'un d'eux qui vous parla à propos des cigarettes anglaises? R. Oui, il y a eu plusieurs soldats allemands qui vinrent à la cuisine. Il y en a qui sont partis, mais l'un d'eux resta en arrière et c'est celui-là qui fit le geste et qui avait la cigarette dans sa bouche.
- Q Savez-vous à quel heure cette unité allemande, qui s'installa au chateau le 8 juin quitta les lieux? R. Je crois qu'ils sont partis vers les 9 heure du soir mais je ne les ai pas vu partir. Quand je me suis levé le lendemain je me suis aperçu qu'ils étaient partis.
- Q Avez-vous visité les entourages de leur poste de commandement le lendemain? R. Le lendemain je suis allé au poste de commandement avec des troupes anglaise.
- Q Est-ce que les voitures détruites, qui sont à présent dans le bois, étaient là le matin du 9 juin? R. Ces voitures étaient là depuis le matin du 9 juin.

(Le témoin se retira).

(Signed) LAMOUÉ RAYMOND.

- Q Did you notice any British arms or equipment lying around in that vicinity? A. There were no weapons, but I rather think there were a few steel helmets, that is all; there were one or two, perhaps; I did not really notice. There were certainly no weapons. Some of them, about half-a-dozen of them, had their boots off.
- Q How closely did you examine these bodies? A. I should say superficially, just enough to see roughly what each prisoner had in the way of wounds; just a quick examination. I did not take their coats off or anything like that.
- Q Did you notice anything which appeared to be the personal effects of these soldiers lying about? A. No. I think they all had their pay-books and things in their pockets because I remember I looked at one to see. He had his pay-book in his pocket and I put it back.
- Q Did you notice whether any of these bodies had anything in their hands? A. No, I did not.
- Q How long do you judge that they had been dead when you saw them? A. All I could say was that they had been dead long enough for them to be cold; I should say between twelve and forty-eight hours.
- Q You stated that someone had told you that there were bodies of prisoners lying near the Chateau? A. Yes.
- Q Who told you this; can you recall? A. Well, the first persons to tell me this were members of the Unit.
- Q Anyone else? A. And then the girl. I introduced them to the girl and she mentioned the name "Canadians" too. She had been up to see them.
- Q But did she refer to them as men who had been prisoners of war? A. Yes.
- Q From the general appearance and lay-out at Point "K", could you on the basis of your own deductions form any opinion as to the manner in which these men had met their deaths? A. I formed the opinion that they had been standing in a row and were then shot. The appearance of the scene bore out the story that the girl told me. Supporting this, there was the fact that the men were in a row close together, with just two feet between each of them. They were close to the hedge and some of them were so close as to have their heads propped up against the hedge. There were no weapons or signs of fighting. They had not got their webbing on and some of them had no boots on.
- Q What action did you take after you had viewed the bodies? A. I informed the Padre of the Dorsets and suggested that he take a party to bury them, and to remove their identity discs so that he could send in burial returns, but unfortunately he was too busy and the situation was rather confused in the area. He never had time to effect the burial. I put in a report, I think it was about the 12th or 13th June, when I returned, to the A.D.M.S. from the Dorsets. I put a report in when I got back.

(The witness withdraws).

RECORD OF THE EVIDENCE

of

CAPTAIN F.R. POLLARD.

CAPTAIN FRANK REGINALD POLLARD is called
and, having been duly sworn, is examined
as follows:-

THE PRESIDENT: State your rank, name and organisation.

A. Captain Frank Reginald Pollard, No.185393, 70 Special
Investigation Section, C.M.P., attached Headquarters,
2nd Army.

Q Have you been engaged in any investigations in connection with
the case now under enquiry by this Court? A. Yes.

Q In the course of that investigation did you find any empty
German rifle cartridge cases? A. Yes. I found two cartridge
cases on the 7th July, 1944, now in the envelope produced and
marked Exhibit "16A".

Q Please indicate on this map of the Chateau and grounds the loca-
tion in which you found these cartridge cases? A. I found one
cartridge case on the footpath opposite the point marked "A" on the
sketch and one opposite the point marked "B" on the sketch. I also
found two further empty cartridge cases alongside the points "E" and
"F" on the sketch on the edge of the footpath. These cartridge cases
are in the envelope produced and marked Exhibit "16B".

Q Will you describe to the Court the nature of these cartridge
cases? A. These cartridge cases, from tests which I have
personally made, will fit a German service rifle, automatic
rifle, long-barrelled rifle, and light machine-gun. I submit
to you herewith two live rounds of like ammunition which I have
removed from stores of captured German materials. These live
rounds are in the envelope now produced and marked Exhibit "16C".

Q Do you know whether any additional empty cartridge cases were
found in the vicinity of these points? A. Yes. On the 11th
July, 1944, I accompanied this Court to the vicinity of Points
"A" "B" and "C" and four further empty German cartridge cases
were picked up by Members of this Court in the pathway adjacent
to Points "A" and "B".

Q How did you happen to find the cartridge cases which you picked
up near Points "E" and "F"? A. I carried out an experiment with
a German rifle in the following manner: R.S.M. Hopps pointed
out to me the exact position in which these two bodies were
found, the imprints of which were clearly upon the ground. I
stood in the path opposite the point where R.S.M. Hopps said
the feet of these bodies were. I pointed the rifle at the
direction in which the bodies were found and worked the bolt of
the rifle to determine the direction of the empty cartridge
cases ejection. I then looked down into the grass at the
right-hand side of the place where the bodies had been and
immediately on the edge of the path I found in the long grass
the two empty cartridge cases in the envelope marked
Exhibit "16B".

(The witness withdraws).

EXHIBIT No. 18.

- Q Do you know what this is ? A. I cannot say.
- Q I show you another bundle of documents (marked Exhibit "18D") and ask you where you found them. A. I found these under a small evergreen bush just near the small armoured radio car.
- Q I show you another bundle of documents (marked Exhibit "18E"). Where did you find that ? A. This is a bundle of ten or twelve letters and one postcard, all addressed to Unter Sturfnerer Schenk.
- Q Where did you find these documents ? A. At the same place where I found the letters addressed to Ansengruber.
- Q Here is a document (marked Exhibit "18F"). Do you recall where you found it ? A. I found it at the same place where I found the letters addressed to Schenk.
- Q Do you know what this document is ? A. No. I do not think it is an official document; it appears to me to be written by one individual.
- Q Here is a bundle consisting of two documents (marked Exhibit "18G"). A. I also found these at the same place where I found the letters addressed to Ansengruber.
- Q Do you know what they are ? A. They appear to be vehicle books (similar to our log books) appertaining to vehicle number 932559.
- Q Can you give the Court the numbers of the destroyed German vehicles ? A. Yes, all of them but two, which were badly wrecked.
- Q Please read the numbers to the Court. A. Number 1: SS.934530, a tracked reconnaissance vehicle. Number 2: SS.934748, a tracked reconnaissance vehicle. Number 3: SS.936217, a Fiat four seater sedan. Number 4: SS.934576, a light armoured fighting vehicle with radio equipment. Number 5: SS. 934574, a light armoured fighting vehicle with radio equipment.

(The witness withdraws)

RECORD OF THE EVIDENCE

of

CAPT. J. BORNOFF.

CAPTAIN JACK BORNOFF is called and,
having been duly sworn, is examined as follows:-

THE PRESIDENT: State to the Court your rank, name and organisation.

A Captain Jack Bornoff, No. 145353, Intelligence Officer at Headquarters Second Army.

Q In the course of your duties as an Intelligence Officer have you made a special study of the organisation and usages of the German Army? A. I have.

Q How extensive has been this study? A. I have done all the usual courses which an Intelligence officer does in England: the War Intelligence Course at Matlock, the Cambridge Intelligence Course where I have been an instructor, and I have been studying the German Army as an Intelligence officer since 1942. I have been an Intelligence Officer at Second Army, specialising in German order of battle since the inception of the Second Army.

Q In the course of your duties have you been engaged in and around the Chateau d'Audrieu within the last two weeks?

A I have.

Q With what object in view? A. With the object of determining from evidence on the spot what German unit occupied the grounds of the Chateau on or about the 8th June, 1944.

Q As a result of that investigation have you arrived at any conclusion? A. Yes.

Q Will you state that conclusion? A. My conclusion is that it is likely that Headquarters of the 12th S.S. Reconnaissance Battalion, which is the reconnaissance unit of the 12th S.S. Panzer Division, "Hitler Jugend", was set up in the grounds of the Chateau d'Audrieu on or about the 8th June, 1944. It probably included Headquarter Company, but the only unit which I can identify with certainty is the Signals Platoon of the Headquarter Company.

Q Will you state to the Court the nature of the evidence on which you base this conclusion? A. In the first place, from documents found on the spot; in the second place from statements by civilians.

Q Will you describe briefly the nature of the documents on which you base this conclusion? A. In the first place, some Signal Message Forms which were filled in on the 6th May and which belonged to a wireless section of the Signals Platoon in Headquarter Company of 12th S.S. Panzer Reconnaissance Battalion.

Q I show you this bundle of documents (marked Exhibit "18A") and ask you if they are the forms to which you refer? A. Yes, that is correct. Secondly, a bundle of letters addressed to Unter Sturmfuhrer (Second Lieutenant) Schenk, Field Post Number 57824. This is the Field Post Number of the 12th S.S. Signals Battalion but Schenk is known from our previous records to be Officer Commanding, Signals Platoon, of Headquarter Company, 12th S.S. Panzer Reconnaissance Battalion.

know that such orders were given, not necessarily by the Panzer Division but by the 26th S.S. Panzer Grenadier Regiment. We have captured an order to destroy the village of Broay, on or about the 15th. It was particularly stated that it should be destroyed according to Russian methods.

Q Was there anything about vehicles, or was it just villages?
A. It was about the destruction of villages.

Q Scorched earth, really? A. Yes, but I do not know that it is common practice that if any vehicle is likely to fall into enemy hands an attempt should be made to destroy it.

Q What units of the Panzer Regiment or Reconnaissance Regiment carried any apparatus to put this into effect? Would they be carrying flame throwers? A. In theory, yes, but I cannot give you an actual example.

Q Would it be normal to carry flame throwers? A. Not for that purpose. It would be for the destruction of vehicles more normal to carry a small charge to destroy them.

THE PRESIDENT: Do you know whether it is a common practice for members of Panzer Reconnaissance units to wear so-called camouflage suits? A. I can say it this way: the only members of S.S. Division who do not wear them are Tank Regiments.

LT. COL. BLACKHURST: Can you give us the normal War Establishment of a Headquarter Company of the 12th S.S. Reconnaissance Regiment? It is the numbers I am really getting at. Can you give us the number of officers and other ranks in this regiment? A. 100 personnel, 36 vehicles and 14 motor-cycles.

THE PRESIDENT: That is the paper organisation as you have it?
A. Yes.

Q Were the units operating in this area in any way up to strength? A. I think it is very likely they were. At this time it was D plus 2 and the sub-units had been engaged on a wide front as is normal with a Reconnaissance battalion, but there was no reason on that date for the Headquarter Company to be engaged in action.

LT. COL. BLACKHURST: Do the soldiers of that unit wear the words "Adolf Hitler" on their tunic sleeve? A. The only soldiers who would wear the Adolf Hitler armband are those transferred from the Adolf Hitler Division. It is known that many officers and N.C.Os. in the 12th S.S. Division have in fact been transferred from the Adolf Hitler Division.

THE PRESIDENT: In addition to the documents which you have produced, have you any other reason for believing that the 12th S.S. Panzer Reconnaissance Battalion was in the area of the Chateau on or about the 8th June? A. The answer to that is that civilians have stated to me that the cars which I saw in the grounds of the Chateau arrived on the morning of the 8th June.

LT. COL. BLACKHURST: You examined all the vehicles present in the wood at the Chateau d'Audrieu. What opinion did you form from the view of those vehicles as a whole? A. That the type of vehicles which I saw in the wood could not have belonged to any other unit but the 12th S.S. Panzer Reconnaissance Battalion, of which there is only one in the 12th S.S. Panzer Division. My reasons for stating this are that the cluster of vehicles included two four-wheeled light armoured cars equipped with wireless, which are normally to be found only in a Panzer Reconnaissance Battalion.

(The witness withdraws).

RECORD OF THE EVIDENCE

of

L. A. F. LESEIGNEUR

LEON ALBERT FRANCOIS LESEIGNEUR is called and, having been duly sworn, is examined as follows:-

- Q What is your name ? A. Leon Albert Francois Leseigneur.
- Q Where do you live ? A. Ferme du Chateau d'Audrieu, Audrieu, Calvados, France.
- Q What is your occupation ? A. I am a farmer.
- Q What is your age ? A. 32.
- Q Were you in the vicinity of the Chateau d'Audrieu on the afternoon of the 8th June, 1944 ? A. Yes. I did not leave the Chateau grounds that afternoon.
- Q Did you see any soldiers in British uniform in the vicinity of this Chateau that afternoon ? A. Yes, I saw them about 4.30 or 5 o'clock in the afternoon.
- Q I show you this map of the Chateau and its grounds and ask you if you can show me where you saw these soldiers in British uniform ? A. I saw them here (indicating point K. on the map).
- Q How many of these British soldiers were there ? A. I did not count them as I walked by, but I think there were a group of ten.
- Q What were these British soldiers doing when you saw them ? A. Two of these British soldiers were lying on the ground resting on their elbows and the remainder were in a group speaking together.
- Q Were all of these British soldiers alive at that time, so far as you could see ? A. Yes, they were all alive.
- Q Just where were you when you saw them ? A. I was walking along the road to rear of them in an Easterly direction; the road passes alongside the hedge. I was about four or five metres from them. There is the roadway, then a ditch, and then the hedge. I was walking along the road. The soldiers were on the other side of the hedge.
- Q Did you notice whether these British soldiers had any arms or equipment ? A. They had no arms or equipment with them and their tunics were unbuttoned and hanging loosely from their bodies.
- Q Were there any German soldiers nearby ? A. There were many German soldiers about three or four metres from them.
- Q Were these German soldiers armed ? A. They were all armed, some with rifles and others were carrying small machine guns.
- Q Did you notice whether there were any German officers or non-commissioned officers there ? A. There were officers and non-commissioned officers standing near this group of British soldiers and they were giving orders and carrying out what appeared to be their normal duties.

DEPOSE DU TEMOIGNAGE

DE

LÉON ALBERT FRANCOIS LESEIGNEUR.

LE PRESIDENT: Quel est votre nom? R. Léon Albert Francois Leseigneur.

Q Ou demeurez-vous? R. Ferme du chateau d'Audrieu, Audrieu, Calvados, France.

Q Quel est votre occupation? R. Je suis un cultivateur.

Q Quel est votre âge? R. 32 ans.

Q Étiez-vous dans le voisinage du chateau d'Audrieu dans l'après-midi du 8 juin, 1944? R. Oui, je n'ai pas quitté le terrain du chateau cette après-midi là.

Q Avez-vous vu des soldats en uniforme britannique dans le voisinage de ce chateau en ce même après-midi? R. Oui je les ai vus vers 4.30 où 5 heure de l'après-midi.

Q Je vous montre cette carte qui représente le chateau et ses environs, et je vous demande si vous pouvez me montrer l'endroit où vous avez vu ces soldats en uniforme britannique? R. Je les ai vus là (indiquant la place "K" sur la carte.)

Q Combien de ces soldats anglais y avait-il? R. Comme je marchais je ne les ai pas comptés, mais je crois qu'il y avait un groupe de dix.

Q Que faisaient ces soldats anglais quand vous les avez vus? R. Deux d'entre eux étaient couchés par terre se reposant sur leurs coudres et les autres étaient dans un groupe se parlant ensemble.

Q Est-ce que ces soldats anglais étaient tous vivant d'après vous? R. Oui, ils étaient tous vivant.

Q Au juste où étiez-vous quand vous les avez vus? R. Je marchais le long de la route qui est en arrière d'ou ils étaient, dans une direction est; ce chemin passe le long de la haie. J'étais à peu près 4 à 5 mètres d'eux. Il y a le chemin, un fossé ensuite la haie. Je marchais le long de ce chemin. Les soldats étaient de l'autre côté de la haie.

Q Avez-vous remarqué si ces soldats britanniques avaient des armes ou des équipements sur eux? R. Ils n'avaient aucune armes ou équipements et leurs tuniques étaient déboutonnées et pendaient à leur aise.

Q Y avait-il aucun soldats allemands tout près d'eux? R. Il y en avait plusieurs, environ 3 à 4 mètres d'eux.

Q Est-ce que ces soldats étaient armés? R. Ils étaient tous armés, quelques uns avaient des fusils et d'autres des mitraillettes.

Q Avez-vous remarque s'il y avait des officiers ou des sous-officiers allemands là? R. Il y avait des officiers et des sous-officiers allemands près de ce groupe de soldats anglais qui donnaient des ordres, ce qui me paraissait être une routine habituelle.

EXHIBIT No. 20 (FRENCH).

- Q Vous êtes certain, n'est-ce pas qu'il y avait des officiers et des sous-officiers allemands à ce moment là près du groupe de soldats anglais? R. Oui, je suis certain.
- Q Qu'avez-vous pensé à ce moment là de la situation en ce qui regarde ces soldats anglais? R. Ces soldats anglais m'on semble d'être sous garde, enfin des prisonniers.
- Q Avez-vous remarqué aucune marques quelconque sur leurs manches ou quelque chose de semblable? R. Je n'en ai pas remarqué le 8 juin, mais je les ai vues quand je suis retourné le lendemain matin.
- Q Ou êtes vous allé après que vous avez vu ces soldats anglais? R. Je suis allé à peu près à 100 mètres plus loin vers l'est sur le chemin et j'ai changé mon taureau de place dans le paturage et je m'en suis revenu marchant dans une direction ouest dans un champ tout près de ma ferme.
- Q Ou est votre ferme? R. Ma ferme est à peu près 75 mètres à l'ouest du poulailler.
- Q Avez-vous entendu, à ce moment là, des coups de feu dans le voisinage? R. Oui.
- Q De quelle direction vous a t'il semblé que venaient ces coups de feu? R. Ils m'ont semblé très proche de moi dans la direction du poulailler.
- Q Ou étiez-vous quand vous avez entendu ces coups de feu? R. J'étais dans un paturage à peu près 40 mètres du poulailler.
- Q A peu près combien de coups de feu avez-vous entendu? R. J'ai entendu 10 coups, soit d'un fusil ou d'un revolver, et aussi des coups de mitrailleuse venant de la même place.
- Q Avez-vous formé aucune opinion de ce qui se passait là? R. J'ai trouvé cela très étrange d'entendre des coups de feu venant d'ou je venais juste de quitter.
- Q Pourquoi avez-vous trouvé cela étrange? R. J'ai trouvé cela étrange parce qu'en même temps il y avait des avions anglaises qui survollaient mais qui ne tiraient pas.
- Q Est-ce que ca se battait entre soldats anglais et allemands à ce moment là dans les environs du chateau? R. Non, il n'y avait pas d'anglais et d'allemands qui se battaient avant que le barrage commenca vers les 7 heure du soir, quand les troupes anglaise attaquèrent.
- Q Avez-vous retourné dans le voisinage du poulailler après ceci? R. Je suis retourné dans le voisinage du poulailler le lendemain vers les 8.30 heure.
- Q Qu'avez-vous vu là? R. J'ai vu tous les soldats anglais étendu mort par terre.
- Q Dans quelle position étaient étendus ces soldats anglais? R. Ils étaient étendus avec leurs têtes vers le chemin et les pieds allant de l'autre côté.
- Q Est-ce que vous vous êtes approché très près d'eux? R. Je suis allé jusqu'à l'espace qu'il y a dans la haie. J'étais à peu près 50 centimètres des corps des hommes.

- Q Do you know what his rank was? A. I cannot tell you.
- Q Would you recognise this officer if you saw him again?
A. Yes, I might recognise him.
- Q Was anyone with you when you saw these British soldiers?
A. My employer, M. Leseigneur.
- Q What did you think these British soldiers were doing there?
A. I thought that they were prisoners.
- Q Why? A. Because they were dressed in British uniform and they were surrounded by Germans.
- Q Where did you go after you saw these British soldiers?
A. We went along the road eastward and moved the stake to which the bull was tied and we turned westward in the direction of the farm; about five minutes or ten minutes later we heard several shots.
- Q Can you say about how many shots? A. It is difficult to say how many shots I heard but there were machine-gun shots amongst them.
- Q How did you know they were machine-gun shots? A. Because a machine-gun makes more noise and fires faster than a rifle.
- Q Where did this sound come from? A. I thought that the shots came from the direction of the place where I had seen these soldiers standing.
- Q What did you do after you heard the shots? A. In about five minutes a German officer and two or three soldiers came to the farm and made me carry a ladder along the road eastward. As I passed the henhouse I noticed that the British soldiers whom I had seen were no longer standing there.
- Q Did you ever return to this place near the henhouse where the British soldiers had been? A. I returned to this place the next morning about 9.30 or 10 o'clock in company with Raymond Lanoue.
- Q What did you see there? A. I saw thirteen dead British soldiers lying along the hedge.
- Q Did you notice any badges on their uniforms or on their arms?
A. They had marks on their uniforms "Canada".
- Q Did you notice how these soldiers had been wounded? A. Some had been shot through the mouth, some had been shot through the head and I did not notice how the others had been shot.
- Q Did you ever see the German officer who wore the black uniform again? A. Yes, I later saw this German officer dressed in black when I carried a ladder for the other German officer along the road eastward. He was alighting from a French civilian vehicle which he later put in Mme. Level's garage.
- Q What did this officer in black do when he alighted from his car? A. He went to some other officers who were under a pine tree.

(The witness withdraws).

DEPOSE DU TEMOIGNAGE

DE

EUGENE ANDRE LEOPOLD BUCHART.

- Q Quel est votre nom ? R. Eugene Andre Leopold Buchart.
- Q Quel est votre âge ? R. 20 ans.
- Q Ou demeurez-vous ? R. 40, rue de l'église, La Madreri, Caen.
- Q Etiez-vous au chateau d'Audrieu durant l'après-midi du 8 juin 1944 ? R. Non, j'étais à la ferme.
- Q Avez-vous visité où êtes-vous venu au chateau en cette après-midi ? R. Je suis venu au chateau au commencement de l'après-midi voir mon camarade.
- Q Avez-vous vu des soldats en uniforme britannique cette après-midi là, près du chateau ? R. Oui.
- Q Ou avez-vous vu ces soldats ? R. J'ai vu ces soldats le long de la haie.
- Q Je vous montre cette carte du chateau at je vous demande si vous pouvez indiquer sur cette carte, l'endroit ou vous avez vu ces soldats en uniforme britannique ? R. Je les ai vus le long de la haie près des poules; c'était tout près de cet endroit (indiquant la place "K").
- Q Ou étiez-vous au moment que vous avez vu ces soldats ? R. J'étais sur le chemin qui passe près du poulailler.
- Q Vers quelle heure ? R. Entre 5 et 5.30 de l'après-midi.
- Q Est-ce que ces soldats en uniforme britannique étaient mort ou vivant ? R. Ils étaient vivants et tous étaient debout.
- Q Combien y en avait-il ? R. Je ne les ai pas comptés, mais je crois qu'ils y en avaient dix.
- Q Est-ce que ces soldats avaient des armes ou des équipements d'aucune sorte ? R. Ils n'avaient pas d'armes ou d'équipements avec eux.
- Q Que faisaient-ils quand vous les avez vus ? R. Ils étaient debout.
- Q Y avaient-ils des soldats allemands près d'eux ? R. Il y avait des allemands à peu près dix mètres d'eux.
- Q Est-ce qu'il y avait des officiers allemands parmi ces soldats allemands ou près d'eux ? R. Oui, ils étaient tous dans un groupe donnant des ordres.
- Q Est-ce que ces soldats allemands étaient armés ? R. Oui, ils étaient tous armés.
- Q Savez-vous quelles sortes d'armes ils avaient ? R. Ils avaient des fusils et des mitrailleuses; des petites mitrailleuses et des grosses mitrailleuses.
- Q Est-ce qu'il y avait aucun officiers allemands habillé en noir ? R. Seulement qu'un.
- Q Savez-vous quel était son grade ? R. Je ne peux pas vous le dire.

RECORD OF THE EVIDENCE

of

FIRST LT. J.W. BISHOP

FIRST LIEUTENANT JOSEPH W. BISHOP is called and,
having been duly sworn, is examined as follows:-

THE PRESIDENT: Will you state your name, rank, organisation and present duty. A. First Lieutenant Joseph W. Bishop, Judge Advocate's Section, H.Q. ETOUSA.

Q I hand you these three objects and ask you to state what they are. A. These are three documents which were found in my presence by Captain L.G. Sneath at a spot which is identified on the map by the co-ordinates 871713. They were found at approximately 1400 hours on the 11th July, 1944. The first document is a personal letter addressed to Rifleman F. Smith, No. B.32922, Queen's Own Rifles. The second document is a pay book belonging to F.D. Harrison, Canadian Army. The third document is a personal letter addressed to Sapper F. Harrison, No. B.138308(3?). This also simply gives "Canadian Army".

(Bundle of documents produced by
witness is marked Exhibit "23A")

(The witness withdraws)

RECORD OF THE EVIDENCE

of

LT. COL. R. A. H. MacKEEN

LIEUTENANT-COLONEL R. A. H. MacKEEN is called and, having been duly sworn, is examined as follows:-

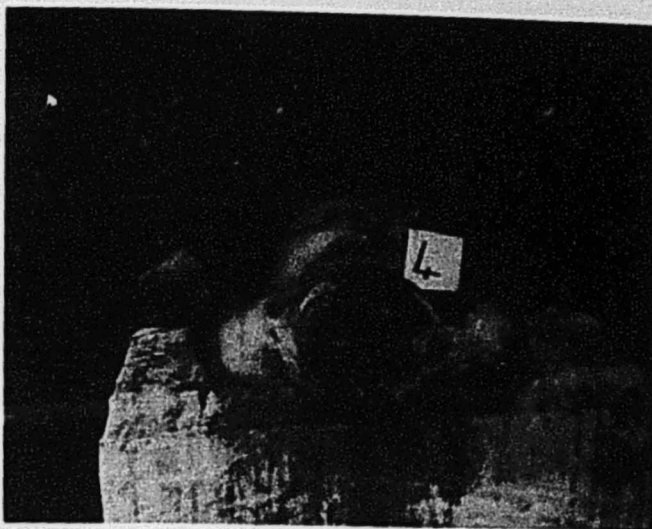
- THE PRESIDENT: Will you please state your name, rank and organisation? A. Robert Arthur Haliburton MacKeen, Lieutenant-colonel, Royal Canadian Army Medical Corps, First Canadian Base Laboratory.
- Q What is the nature of your present assignment? A I am in charge of a laboratory conducting general pathological examinations.
- Q Were you required to perform any duty at or in the vicinity of the Chateau d'Audrieu recently? A. Yes.
- Q Will you state briefly the nature of that duty? A To conduct autopsies on the bodies of 26 British and Canadian soldiers who were buried in the grounds of the Chateau.
- Q By whom were you assisted in this work? A. By a medical officer of the R.A.M.C., a laboratory assistant of the R.A.M.C. and ten French civilians, who performed various tasks such as grave digging, washing the bodies and preparing them for the autopsies.
- Q Before undertaking the exhumation of the bodies did you give any instructions as to the sequence in which the bodies were to be removed and brought to your operating room? A. Yes. I told the French foreman to remove them in the following sequence: First from the grave containing six bodies, beginning with grave or body numbers 1, 2, 3, 4, 5 and 6.
- Q Have you completed the autopsy on these 26 bodies? A. Yes.
- Q Will you report to the Court the result of these autopsies and, in the case of each autopsy, state the source from which that body was brought to you. A. The first body that I examined was brought to me from the grave of six and was number 1 body in that grave. This was the body of Private D.S. Gold, H.16928, U.C., Canadian. This body had the identity discs around the neck. The clothing was searched, but nothing found. The shoulder patches were those of the Royal Winnipeg Rifles. There was a Red Cross badge on the right sleeve. Clothing: The blouse collar had a hole three-quarters of an inch in diameter, situated two and one quarter inches from the front and bordering on the seam. Beneath this, beginning at the left shoulder strap button and extending outward and backward, there was a second hole two and three quarter inches in length. Beneath this the jersey showed a similar hole beginning at the neck line on the left shoulder, extending backward and downward. There was a hole in the left sleeve of the blouse, half an inch from the back seam and three and one half inches from the top seam; this was irregular in shape and one and one quarter inches in length. There was a hole in the right side of the tunic one and a quarter inches long at the inner edge of the pocket, half way up the pocket; this extended upward and inward. The jersey showed a similar hole, the left sleeve and shoulder of both blouse and jersey were blood-soaked, as was the back of the blouse on the left side and the front of the blouse and jersey on the right. Body: Preservation of the scalp, face and soft tissues of the neck was poor. Practically all flesh was gone from the

EXHIBIT No. 24.

The right sleeve of the blouse had four service chevrons. The blouse had a hole just above the left shoulder which was V-shaped, one and a half inches by one and a half inches. There was another hole in the blouse three and a half inches below the above in the back, half an inch in diameter, and a similar one in the shirt. There was a third hole one and three quarter inches below the left breast pocket in line with its inside seam and a similar hole in the shirt that measured one inch in length. There were moderate bloodstains on the clothing. Head: The cranium was badly broken and disintegrated. The left frontal temporal parietal and part of the occipital bones were missing. The right frontal parietal and temporal bones were hanging loose. The brain tissue was completely gone. There was a wound on the top of the left shoulder two inches in diameter and a second wound in the back, three and a half inches below this and one inch in diameter. The scapula was fractured through the acromion process. These appeared to be the entrance and exit of wounds of the same origin. There was a wound in the abdomen half an inch below the costal margin, half an inch to the left of the midline. This wound measured three quarters of an inch in length. There was a wound in the liver and a small amount of blood in the peritoneal cavity. The body showed marked decomposition. The hands were particularly decomposed and the flesh on the fingers of the right hand was completely gone. The skin on the back of the hand was blackened and parchment-like. The left hand showed marked decomposition of the thumb and middle fingers. The first, third and little fingers were fairly well preserved. Summary: The head wound was extremely severe but decomposition had obscured the original picture. The wounds in the shoulder and back were severe but did not necessarily cause immediate death. Abdominal and liver wounds had occurred after death. The disintegration of the skull was so severe that it was difficult to state definitely the type of missile involved but the injuries could be produced by small arms at very close range.

The fourth body that I examined was brought to me from the grave of six and was number 4 in that grave. The body was said to be that of an unknown Canadian major of the Royal Winnipeg Rifles. The uniform was that of a major, Canadian Army, with shoulder patches of the Royal Winnipeg Rifles. On the right sleeve were four service chevrons. A wrist watch, Olympic make, was on the left wrist. On the back of the watch was the name "F.E. Hodge". Clothing: The blouse had a hole three quarters of an inch in diameter three inches below the right shoulder strap at the back and one and a half inches from the shoulder seam, and there were similar holes in the shirt and vest. The blouse, shirt and vest were heavily bloodstained. Body: The head was absent and the first three vertebrae were missing. There was a wound behind the right shoulder over the scapula. This wound was half an inch in diameter. There was a small fracture of the scapula with a hole in the scapula five-sixteenths of an inch long and three-sixteenths of an inch wide. Chest cavities appeared normal. Peritoneal cavities appeared normal and the viscera showed no pathological changes. The body as a whole was badly decomposed. Summary: The wound in the shoulder did not necessarily cause instant death. No opinion can be given of the condition of the head.

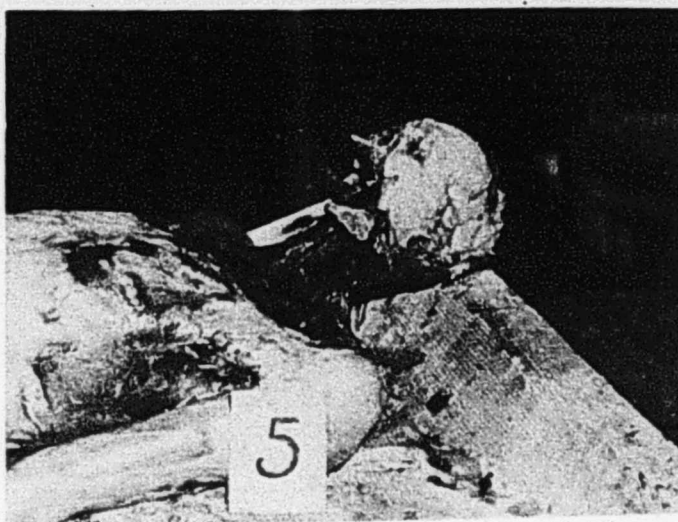
The fifth body that I examined was brought to me from the grave of six and was number 5 body in that grave. This was the body of Lance-corporal A.R. Fuller, H. 41280, U.C., Canadian. The identity disc was present and the regimental number appeared on the blouse belt. The blouse had the shoulder regimental patches of the Royal Winnipeg Rifles. Clothing: The blouse had a hole in the front of the left



Body of Major F.E. Hodge, showing complete disintegration of head.



Body of L/Cpl A.R. Fuller, showing wounds in abdomen below right costal margin.



Body of L/Cpl A.R. Fuller, showing wound in lower jaw, front of neck, reaching from shoulder to shoulder.

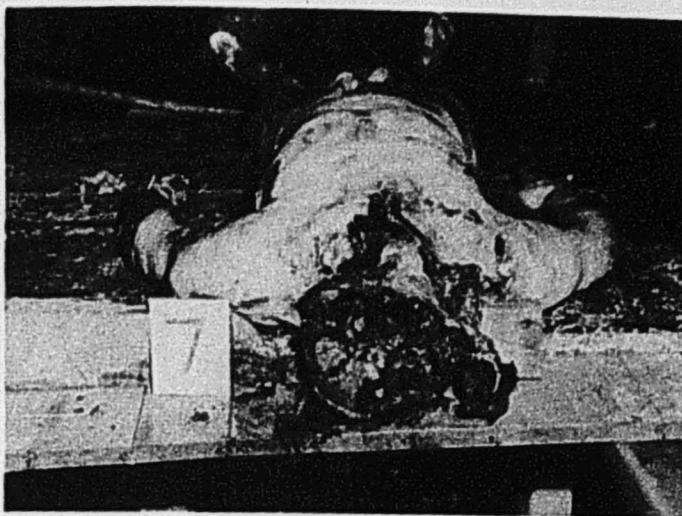
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EXHIBIT No. 24.

inward and backward. The first rib was broken and the first, second and third dorsal vertebrae were broken. The upper lobe of the right lung was torn. The wound extended into the left upper thoracic cavity and there was a tear in the upper lobe of the left lung. Other organs and cavities showed no special change. Summary: Severe wounds of the head which the appearance of the beret would indicate were due to small calibre missiles fired from behind. Wound in the side of the neck entering thorax. From the direction of penetration it would appear that this shoulder wound was inflicted while the body was prone. Both types were fatal.

The eighth body that I examined was brought to me from the grave of seven. This body at the time of autopsy bore no identification other than a silver signet ring with yellow metal inlay on top and shoulder. It bore the initials "F.H." in script. On him was found a small photograph which had been printed at Owen Sound, which is in Ontario. The grave from which this body was taken bore on a plaque the following information: "B.138303 Spr. F.D. Harrison, Cdn". It is known that the next of kin of Spr. Harrison resides in Owen Sound. The shoulder flash found on the body was that of the Queen's Own Rifles of Canada. Clothing: No boots. The blouse showed a jagged hole one and three quarters of an inch in length on the right side just below the collar. A second hole one inch long, five inches from midline and six inches above the blouse belt at the back on the right. A third hole a quarter of an inch in diameter, four inches below the outer edge of the left breast pocket. The face was disintegrated with fractures of the upper and lower jaws, nose orbits and ethmoids. The bones of the top of the skull were intact. The whole of the front of the neck down to the upper border of the sternum was disintegrated and there was a fracture of the lower cervical vertebrae. There was a circular hole a quarter of an inch in diameter below the seventh rib in the left mid-axillary line. This continued through the diaphragm and entered the spinal column at the twelfth dorsal vertebrae; a sub-machine gun bullet was recovered. (Exhibit "24A"). There was a jagged wound three inches by one and a half inches on the right side in the posterior axillary line extending towards midline. There were fractures of the eleventh and twelfth ribs. There was a wound in front of the chest one and a quarter inches in diameter with a fracture of the sternum at clavicular articulation on the right side. The right lung was torn. Summary: Head wounds, fatal type. Body wounds, fatal type. There was some evidence that one, at least, of these wounds was of small calibre type.

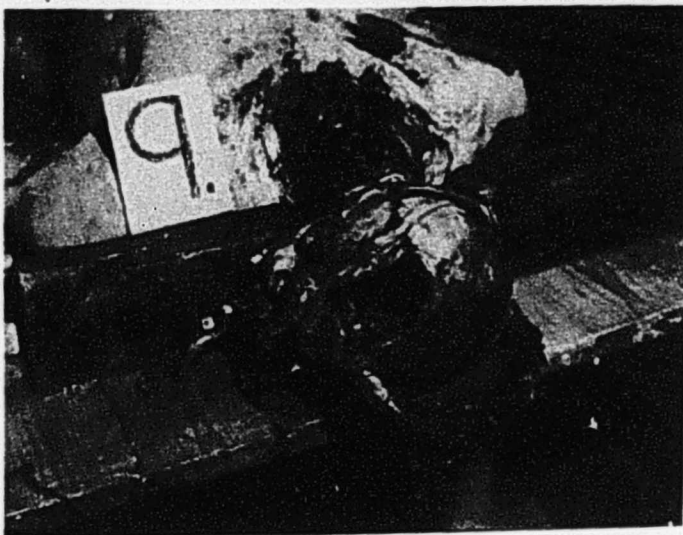
The ninth body that I examined was brought to me from the grave of seven. This was the body of Private W. Poho, H. 9437, O.D., Canadian, Royal Winnipeg Rifles. Clothing: No boots. Blouse: Circular hole two inches in diameter between the right breast pocket and epaulette one inch above pocket. Hole half an inch in diameter just below the right breast pocket. Two holes at the back of the right sleeve just above the cuff, half an inch and one and a quarter inches in diameter. A tear in the right sleeve four inches below the axillary seam. Four holes in the left cuff. Two were a quarter of an inch in diameter and two were half an inch in diameter. Hole half an inch in diameter near the fourth button-hole on left side. Trousers: Eight holes one quarter of an inch in diameter in the left trouser leg. Three holes one quarter of an inch in diameter in the right trouser leg. Head: Hole in the skull two and five-eighths of an inch by one and three quarter inches involving the right frontal and parietal bones. Second hole in skull, one and three-eighths of an inch by three-eighths of an inch involving left frontal bone obliquely from the orbital



Body of Rfn F. Ostir, showing complete disintegration of head.



Body of Spr F. Harrison, showing vault of skull and smashing in of front of face; large wound in upper portion of front of chest in midline.



Body of L/Cpl W. Poho, showing hole in skull.

EXHIBIT No. 24.

The eleventh body that I examined was brought to me from the grave of seven. This was the body of Private Hayton, British soldier. No. 14617934. Identity disc in pocket. Clothing: No blouse. Shirt showed gaping holes between the anterior and posterior axillary lines on the left side and in the shoulder. There was a hole above the right shoulder. There were two holes in the left trouser leg, one at the top of the large pocket and the other immediately above. Head: Scalp loose and was torn, but showed two circular holes three-eighths of an inch in diameter, one in the forehead and one in the occipital region. There was a hole in the skin at the root of the nose one quarter of an inch in diameter. The skull was completely disintegrated. All bones were fractured and many pieces were missing. The cervical vertebrae were shattered and there was a wound in the posterior triangle of the neck, the whole of which measured one and a half inches by two and a quarter inches and was situated on the right side. This wound appeared to be directed upwards. The right maxilla was fractured. There was a large gaping wound in the anterior surface of the left shoulder region, running backwards from the acromio clavicular articulation towards the left scapula, which was shattered. There was a large gaping wound below the left axilla four and a half inches by three and a quarter inches. These two wounds communicated. There were three wounds, half inch, half inch and one quarter of an inch in diameter on outer aspect of upper arm immediately below the shoulder. There was no fracture. Summary: Fatal head wounds with evidence of multiple small-calibre wounds. Fatal neck wounds. Small-calibre wounds of arm. Wounds in shoulder and chest region.

The twelfth body that I examined was brought to me from the grave of seven. This was the body of Private K.S. Lawrence, H.1170, Canadian, Royal Winnipeg Rifles. Clothing: Blouse: A hole one inch long, four inches to the right of the midline and five inches from the belt. Trousers: Hole three and a half inches just above the knee in front. Head: No wounds at top of skull but right lower jaw was fractured and there was a flesh wound in the right side of the neck with marked disintegration of the soft tissues. There was a lacerated wound of the right thigh in the lower half, four inches in length, commencing above the patella. The femur was intact. There was a wound in the right foot and the flesh-wound over it was denuded, and there was disintegration of the tarsal bones. Other organs were normal. Summary: Wounds of neck and jaw fatal. Wounds of thigh and foot moderate.

The twenty-sixth body that I examined was brought to me from the grave of seven. This was the body of Private W. Barlow. No discs present, but his name and regimental number appeared on his trousers and on his gaiters. His number was 4987501. It appeared that he belonged to a Company "D", and he wore 50th Division flashes with two parallel red flashes below. Clothing: Blouse: Hole one and a half inches in length in the right front, one inch below the collar. There was a hole two and a half inches in diameter one inch below the collar seam and two inches above the pocket and in line with the outside seam. There were four holes a quarter of an inch in diameter, two between the two lower buttons, one just below the bottom button and one half an inch from the bottom and one inch from midline. There was a hole in the left sleeve, half an inch in diameter on the inside, one inch above the cuff. There were two holes three inches above the cuff on the outside seam, half an inch in diameter. There was a hole a quarter of an inch in diameter

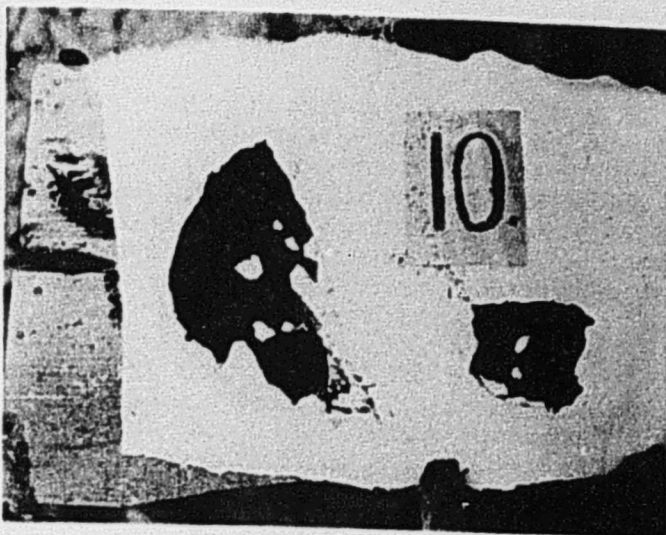
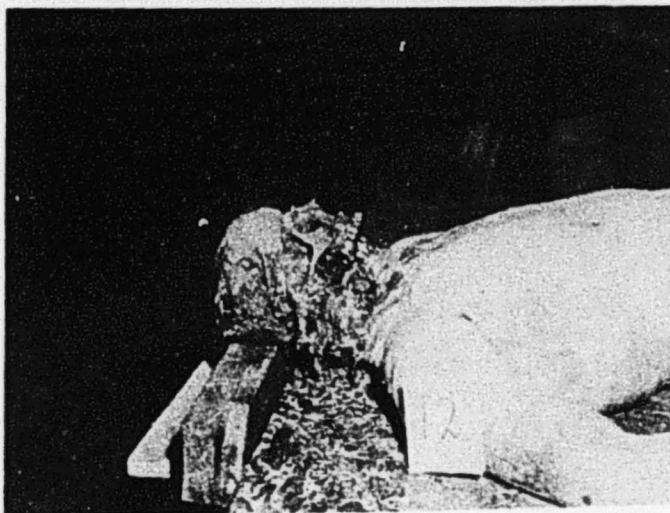


Photo of removed scalp and skin of forehead of Pte L. Chartrand (H41294) showing circular holes.



Body of Pte Hayton, showing complete disintegration of vault of skull.



Body of Pte K.S. Lawrence, showing wound in neck and face.

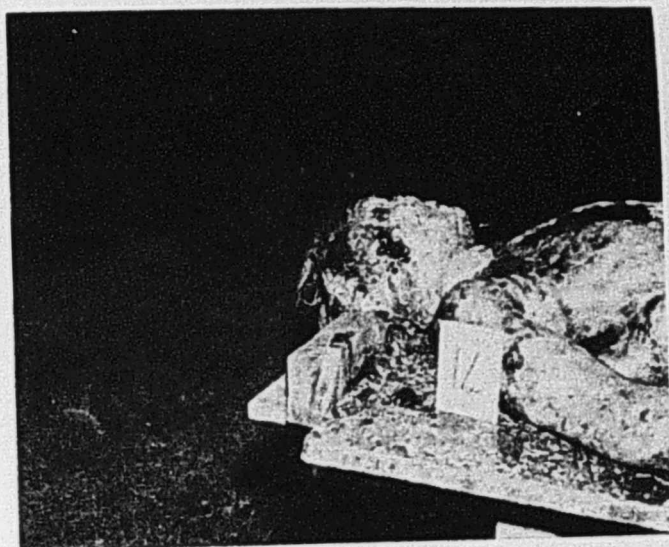
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EXHIBIT No. 24.

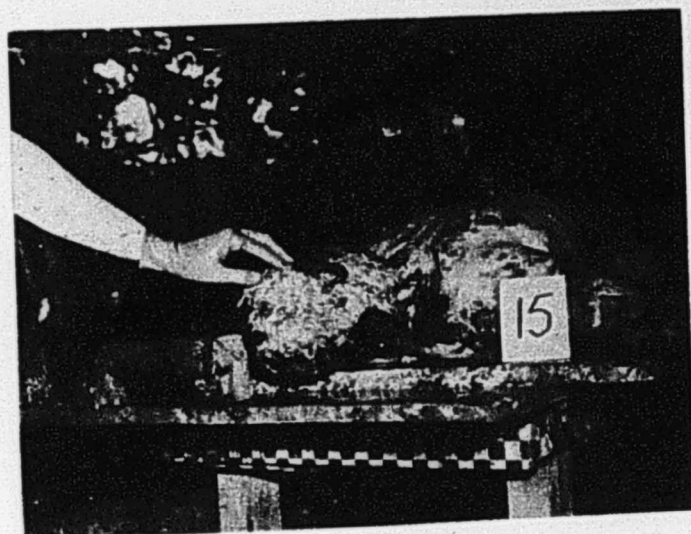
line. There was a tear in the right lower lobe of lung. There was free blood in pleural cavity. Summary: Fatal wound of skull, small calibre type. Wounds of chest.

The fifteenth body that I examined was brought to me from the grave at "K". This was the body of Private E. Bishoff, H. 1463, Luth., Canadian. Clothing: There were no regimental flashes. There was a hole in the blouse collar, one inch to the right of midline, three-eighths of an inch in diameter. Body: There was a vertical wound in the posterior right triangle of neck, three and a half inches in length. This communicated with wound causing multiple fractures of cervical vertebrae. Skull normal. Other organs normal. Summary: Fracture cervical vertebrae.

The sixteenth body that I examined was brought to me from the grave at "K". This was the body of Rifleman W.G. Adams, H. 41531, C. of E., Canadian, Royal Winnipeg Rifles. Clothing: No boots. Blouse: Small hole in collar left side front, half an inch in diameter. Hole in left shoulder one inch below epaulette, one inch in length. Hole in left sleeve in line with top of breast pocket one and a half inches in length, half an inch in diameter. Hole back of left sleeve just at shoulder seam one quarter of an inch in diameter. Hole in back over left scapula, one half an inch in diameter, eight inches from shoulder seam. Hole in right sleeve inner side near elbow, one inch in diameter. Hole in left trouser leg, three inches in length, outer side of front pocket. Skull: There was a wound over the left malar region five-sixteenths of an inch in diameter. Fracture of zygoma. Bullet had gone through middle fossa of the skull and then turning, fractured the orbital plate on making its exit. Body: There was a wound five-sixteenths of an inch in diameter immediately above anterior axillary fold running upward and inward to exit wound, three quarters of an inch in diameter near the acromion process, fracturing head of humerus and smashing shoulder joint. There was a wound half an inch in diameter, two inches below left axilla in mid-axillary line running upwards and backwards to cause fracture of the first rib. There was a wound, a quarter of an inch in diameter, half an inch to right of sternum at second rib. There was a wound in the left upper arm, mid-third on lateral surface. There was a wound a quarter of an inch in diameter and an exit wound three quarters of an inch in diameter on inner aspect. There was a wound a quarter of an inch in diameter in the left forearm, three inches above the wrist joint on radial side which communicated with an exit wound half an inch in diameter on ulna side. There was a fracture of the ulna. There was a wound in the right upper arm, a quarter of an inch in diameter, three inches below the shoulder joint and directed downwards. There was a wound, one quarter of an inch in diameter, immediately to the right of the xiphi sternum. There was a wound, left iliac fossa, one inch long, caused by a piece of shrapnel (Exhibit "24K") one inch in length fracturing ilium just below crest. There was some blood in the abdominal cavity which was probably ante mortem. Thorax: Middle lobe, right lung, was penetrated. Free blood was present in the right thoracic cavity. There was a hole a quarter of an inch in diameter, on the right side of the diaphragm, and a wound in the liver. Left thigh: There was a wound, a quarter of an inch in diameter, on the anterior aspect four inches below Poupert's Ligament, and an exit wound three quarters of an inch in diameter three inches below the entrance in postero lateral aspect. Summary: Skull wound fatal. Multiple small calibre wounds of body, arms and legs.



Body of Cpl G.E. Meakin, showing 3 holes in region of right ear.



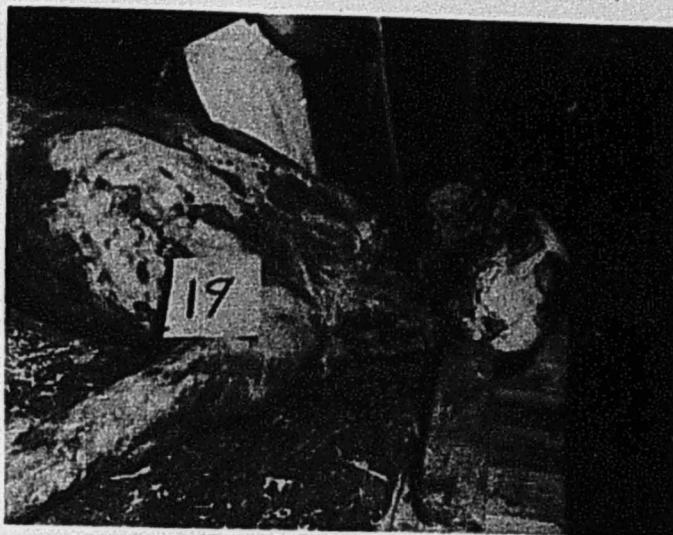
Body of Pte E. Bishoff, showing wound in posterior triangle of right side of neck.

EXHIBIT No. 24.

midline at the eighth thoracic vertebra, which was fractured. Left thigh: There was a wound three inches above the patella on the outer aspect and a similar one on the inner aspect. These measured a quarter and half inch; in a direct line with these there was a wound in the right thigh, inner aspect, measuring a quarter of an inch in diameter, three inches above the patella. Summary: Skull wounds fatal. Multiple fracture of the vertebra. Multiple small calibre wounds of the leg and body.

The nineteenth body that I examined was brought to me from grave "K". This was the body of Rifleman A.A. Fagnan, H. 41980, R.C., Canadian, Royal Winnipeg Rifles. Clothing: There was a hole in collar three quarters of an inch in diameter just below the epaulette. There were two holes a quarter of an inch in diameter to the right of the midline just above the belt seam. There was a hole half an inch in diameter on the fly front of blouse, upper level of pocket. There was a hole two inches in length, three inches to the left of the midline, two inches above the belt line. There was a hole in the left posterior axillary line a quarter of an inch in diameter one inch from the shoulder seam. Trousers: Three holes in the top just under the belt seam corresponding to the holes in the blouse. Boots: Left, there were two holes in the sole a quarter and half an inch in diameter. There was a one-inch tear the lateral aspect just above the sole. Head: No wounds. Body: Communicating wounds one quarter and half inch in diameter at left costal margin. One was one inch from the midline at the tip of the seventh rib and the second at the tip of the tenth rib. Wound in back at level of the eighth and tenth dorsal vertebra, one inch to the left of the midline, measuring two and three quarters of an inch in diameter. This communicated with the thoracic cavity upwards and inwards. Wound in the back one quarter of an inch in diameter in the midline at the eleventh dorsal vertebra directed upwards and inwards. Two penetrating wounds, half an inch in diameter, on the sole of the left foot and fractures of the tarsal bones, evidently from shots fired when the body was prone. Piece of metal removed. (Exhibit "24F"). Lower lobe of the left lung was torn; there was blood in the pleural cavity; fifth, sixth and seventh ribs were fractured near the vertebral column. Other organs were normal. Summary: Chest wounds fatal. Multiple small calibre wounds of body and foot.

The twentieth body that I examined was brought to me from the grave at "K". This was the body of Private H.A. Labrecque, H. 103987, R.C., Canadian, Royal Winnipeg Rifles. Clothing: Right boot off. Blouse: Triangular hole one inch each side, in right lower back five inches from the midline seam and four inches above the belt. Hole one quarter of an inch in diameter, one and a quarter inches to the right of the midline seam and four inches above the belt. Hole half an inch in diameter beneath the insertion of the left epaulette. Hole one inch in diameter three inches below the axilla in the mid-axillary line. Hole left sleeve three quarters of an inch in diameter in the upper arm, three inches from the shoulder seam in front. Two holes half an inch in diameter two and four inches behind the side seam of the right trouser leg at level of the fork. Skull: Scalp denuded over most part. There was a tri-radiate fracture in the right posterior parietal region two and a half inches behind the external auditory meatus. This had produced a hole five-sixteenths of an inch in diameter. On the opposite side of the skull three inches behind the external auditory meatus there was a larger hole one inch in diameter in the posterior



Body of Rfn A.A. Fagnan, showing complete disintegration of left side of face and neck.



Body of Rfn A.A. Fagnan, showing linear fracture through right side.



Body of Pte H.A. Labrecque, showing hole in right side of head.

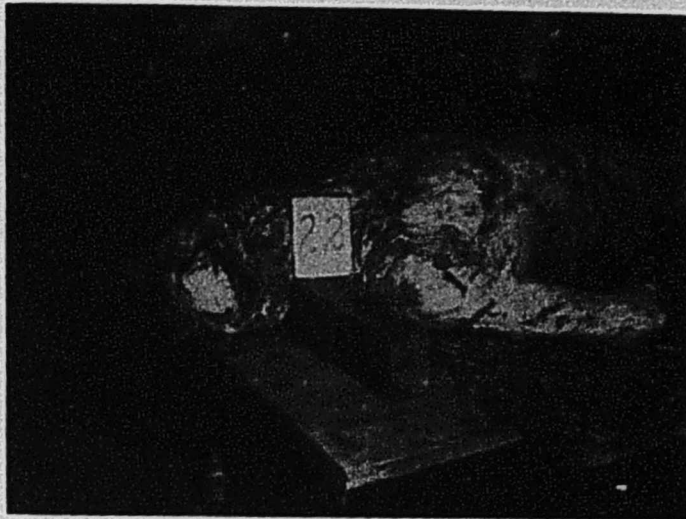
11-A

EXHIBIT No. 24.

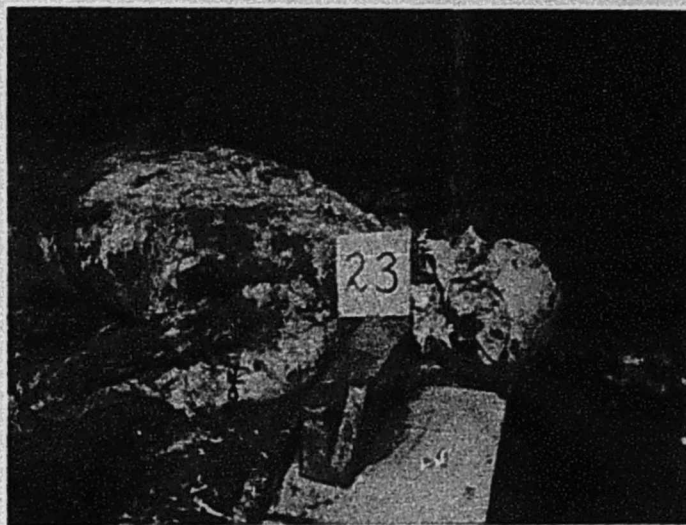
The twenty-third body that I examined was brought to me from the grave at "K". This was the body of Private H. Rodgers, H. 8918, R.C., Canadian, Royal Winnipeg Rifles. Clothing: No boots. Blouse: Hole one quarter of an inch in diameter inner top edge of the left breast pocket. Two holes a quarter of an inch in diameter in the left axilla. Hole one quarter of an inch in diameter half an inch below the above. Hole one and a half inches in diameter on the inner side of the left upper arm. Two gaping holes, two and a half inches in diameter, just above the left cuff. Two holes, two inches and three inches in diameter, one and a half inches above the belt seam in the right mid-axillary line. One hole one inch in diameter three inches below the axilla in the right sleeve. Skull: There was a hole one quarter of an inch in diameter in the midline of the occipital region and a second hole one inch in diameter one and a quarter inches above and half an inch behind the left external auditory meatus. Thorax: Wound in right axillary region towards the front, four inches by two inches. This was superficial. Wound left axillary region, one quarter of an inch in diameter, with exit wound in the anterior triangle of the neck. Third rib was grooved. There was splintering of the left sixth rib one inch from the vertebral articulation. There was blood in the left thoracic cavity and a tear in the upper lobe of the left lung. Abdomen: Nil. Left hand: Greater part missing; remaining carpal bones were fractured. Summary: Skull wounds, small calibre. Multiple small calibre wounds of the body.

The twenty-fourth body that I examined was brought to me from the grave at "K". This body at the time of the autopsy bore no sign of identification, but the cross on the grave from which this body was taken bore the following information: "H.21123 Slywchuk, G.C."; the letters "Royal Winnipeg Rifles" appear at the top of the cross. There were two service chevrons on the right arm, and the sleeves bore the Royal Winnipeg Rifles flash. Clothing: Three holes in the collar of the blouse on the right side, a quarter of an inch in diameter; two holes, half an inch in diameter, two inches below the collar seam in the back. Two holes, half an inch in diameter, just in front of right epaulette. The head was missing and the body showed marks of decomposition and the right arm was disarticulated at the shoulder. Thoracic and abdominal cavities: Nil. Summary: From the holes in the collar it would appear that this man was wounded severely in the neck, probably leading to decapitation. Apparently small calibre missiles.

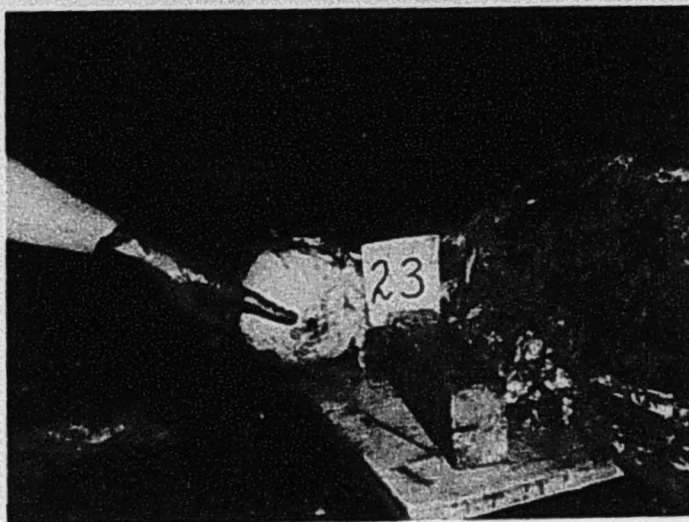
The twenty-fifth body that I examined was brought to me from the grave at "K". This was the body of Private R.J. Harper, L.105515, U.C., Canadian, Royal Winnipeg Rifles. Clothing: Blouse: Hole, one quarter of an inch in diameter, one inch from outer and lower edge of left breast pocket. Hole, a quarter of an inch in diameter, on left sleeve, two and a half inches from axillary seam on inner side. Hole, two inches in diameter, beside and above outer edge of divisional flash on left sleeve. Hole, a quarter of an inch in diameter, two inches from the left of the midline nine inches below the collar in the back. Hole, a quarter of an inch in diameter, one inch from shoulder seam under right epaulette. Hole, half an inch in diameter, on the collar seam, three inches from the front of collar. Hole, a quarter of an inch in diameter, four inches from midline on the right and four inches below the epaulette. Hole in right sleeve five inches long on the outer aspect of the cuff extending upwards. Hole, three inches in length, four inches above cuff seam on the inner aspect. Two holes, one inch and one quarter of an inch in diameter, in trousers over the right buttock. Hole, quarter of an inch in diameter, two inches below the top of the trousers and four inches from the edge of the left fly. Hole, two inches in diameter, through the map pocket. Skull: Left side of face and head was missing with involvement of frontal, temporal, occipital and



Body of Gnr (Rfn?) S.J. Cresswell, showing large gaping hole in right side of skull.



Body of Pte H. Rodgers, showing hole 1 inch in diameter in region of left ear.



Body of Pte H. Rodgers, showing hole in occipital region.

RECORD OF THE EVIDENCE

of

SERJEANT J.R. FROST.

SERJEANT J.R. FROST is called, and
having been duly sworn, is examined as follows:-

THE PRESIDENT: State your name, rank and organisation.

A B211172 Serjeant Frost, J.R., No. 1 Special Investigation
Section, First Canadian Army.

Q Between 9th July and 14th July, 1944, were you present at the
Chateau d'Audrieu with Lieut. Col. MacKeen when he performed
an autopsy on the bodies of twenty-four British and Canadian
soldiers found dead in the Chateau grounds ? A. Yes.

Q Did you take the fingerprints of each of those bodies ?

A I took the fingerprints of eighteen bodies numbered 1,
2, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 16, 17, 20, 21, 24 and
25. I attempted to take the fingerprints of six other
bodies, but due to the condition of these bodies it was not
possible. Those bodies numbered 10, 12, 14, 22, 23 and 26.

Q Do these envelopes (now included in the large envelope marked
Exhibit "25A") contain the actual fingerprints of these
eighteen bodies ? A. They do.

(The witness withdraws)

RECORD OF THE EVIDENCE

of

SERJEANT R. S. SOUTHERST.

SERJEANT R.S. SOUTHERST is called and,
having been duly sworn, is examined
as follows:-

THE PRESIDENT: State your name, rank and organisation.

A. U1913 Serjeant Southerst, R.S., No.1 Special
Investigation Section, First Canadian Army.

Q Between 9th July and 14th July, 1944, were you present at the
Chateau d'Audrieu with Lieut. Col. MacKean when he performed
an autopsy on the bodies of two British and/or Canadian
soldiers found dead in the Chateau grounds? A. Yes.

Q Did you take the fingerprints of each of those bodies?
A. I took the fingerprints of two bodies numbered 18 and 19.

Q Do these envelopes (now included in the large envelope marked
Exhibit "26A") contain the actual finger prints of these two
bodies? A. Yes.

(The witness withdraws).

RECORD OF THE EVIDENCE

of

LIEUT. F.L. DUBERVILL.

LIEUTENANT FRANK L. DUBERVILL is called
and, having been duly sworn, is examined
as follows:-

THE PRESIDENT: Will you state to the Court your name, unit and duty? A. Lieutenant Frank L. Dubervill, Canadian Film and Photo Unit. I am on duty with No.3 Canadian Public Relations Group, at Creully, Normandy.

Q In connection with your duties were you required to take photographs at the Chateau d'Audrieu and of the bodies of Canadian soldiers upon whom an autopsy was being performed there? A. Yes.

Q I show you here a series of photographs marked Exhibit "27A" and ask you if you can state to the Court what they are? A. Here is a series of 36 photographs taken by me of the bodies exhumed at the Chateau d'Audrieu and upon which an autopsy was performed by Lieutenant -Colonel MacKeen. This series represents photographs of 22 bodies. The name of the soldier in each case is written on the back of the photograph, except in the case of unidentified bodies.

Q I show you another series of photographs marked Exhibit "27B" and ask you if you can identify them and state the circumstances under which they were made? A. These photographs are of the grounds of the Chateau d'Audrieu, of the Chateau itself, the graves and where the bodies of the soldiers were found at the Chateau. I took these photographs at the direction of General Barker, President of this Court. There is a caption on the back of each photograph identifying the picture and showing in what direction it was taken.

(The witness withdraws).

STATEMENT OF

Lt. Col. J.M. MELDRAM,
Officer Commanding Royal Winnipeg Rifles.

The witness, having been duly sworn, states:

Regarding the general action affecting this Battalion, on the night 7/8th June, 1944, and during the day of 8th June, 1944, the map references of the original Company dispositions were as follows (Thaon 1:25000 Sheet):-

"A" Company in area (900721) with one platoon (No. 8) detached in position at bridge over railway (894721) and one platoon (No. 7) forming a part of the force in liaison with 7 Battalion Green Howards at Bronay (Area 889724).

"B" Company in area of orchards (903726)

"C" Company north of railway (Area 905718)

"D" Company in fields (Area 909717).

The Battalion generally had been under fire and attack by fighting patrols throughout the night of 7/8th June, 1944. During the morning of 8th June, 1944, all companies remained in position. At about 1000 8th June, 1944, I visited "C" Company area and found them under increasingly heavy attack with some confused fighting going on in the woods and orchards. The major portion of the Company, however, were still in position.

Before proceeding to "A" Company, I got the Company Commander of "A" Company (Major Hodge) on the wireless and he told me that he was pinned down by heavy mortar and machine gun fire with the threat of armoured attack on the bridge at 894721. I therefore proceeded to "B" Company in order to reconnoitre from their position in the orchards at 903726. At about 1045 hours "B" Company also came under increasingly heavy mortar fire. Being assured that "A" Company was holding its position, I returned to Battalion Headquarters and was called from there to Brigade Headquarters.

On my return from Brigade Headquarters at about 1230 hours I found Battalion Headquarters under heavy mortar fire and each company position under attack by infantry and tanks. Soon after this communications broke down between Battalion Headquarters and both "A" and "B" Companies and within a short time I was out of touch with "C" Company.

Confused fighting continued in the forward areas throughout the afternoon and by 1800 hours with "D" Company remaining in position, although partially surrounded, Battalion Headquarters was in a defensive position reinforced by stragglers from "A", "B" and "C" Companies.

Through the artillery F.O.O. and his ability to move in his O.P. tank it was ascertained during the late

EXHIBIT No. 29.

The Germans were both wearing camouflaged tunics and camouflaged helmets. The one in front, that is the first German I referred to, was armed, I believe, with a Schmeizer Carbine. I am reasonably familiar with this weapon and am practically certain that is what he used. I do not know his unit and I would not recognise the man again.

To the best of my knowledge no member of "A" Company was west of the bridge position on 8th June, with the exception of No. 7 Platoon which I knew to be stationed at Bronay.

L/Cpl. Oman had the regimental number H.41248. Rifleman Lawrence, K.S., had the regimental number H.1170. He was Major Hodge's batman. These men were captured at point 899724 (approx) in a wheat field.

The last I saw of Major F.E. Hodge was just before I went into the wheat field and he too was endeavouring to lead his men out of the position. At the time I last saw him Major Hodge and I were within a few yards of each other.

(Signed) R.S. MOGLOVE, Lt.
O.C. No. 8 Pl.
R.Wpg.Rifs.

Château d'Audrieu and Vicinity

Scale 1 in. = 60 ft.

